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|   | <p>Transpower considers the most appropriate activity status for such subdivisions is non-complying. Accordingly, an amendment to the proposed non-complying rule for subdivision in the Rural 1 Zone is proposed to implement that outcome.</p> <p>Alternatively, a new standalone Non-complying activity Rule could be used to achieve the same environmental outcome.</p>   | <p>Subdivision in the Rural 1 Zone that does not comply with condition (c) of rule 16.3.5.3A, condition (a) of rule 16.3.5.3B or condition (a) of rule 16.3.5.4A is a non-complying activity.</p> <p>A resource consent is required. Consent may be refused or conditions imposed. In considering the applications and determining conditions, Council will have regard to the criteria set out in Schedule 16.3A as well as any other provisions of the Plan or Act.</p> |
| <p><b>Submission 12:</b><br/>16.3.6.1 Controlled Subdivision (Rural 2 Zone)</p> | <p>This submission (in tandem with submission points 14 and 16 below) generally replicates the overall approach to subdivision outlined above (in relation to the Rural 1 Zone) for land within the Rural 2 Zone that intersects the National Grid Subdivision Corridor.</p> <p>In Transpower's review of the operative planning maps it appears that there are no areas that are zoned Rural 2 within the Richmond West Development Area. There are, however, Rural 2 zoned areas in Richmond East Development Area, and indeed the wider district. On that basis Transpower considers it appropriated to amend the existing provisions under the Rural 2 Zone – which only relate to the Richmond West Development Area in the Operative Plan - rather than adding a new condition as per the Rural 1 Zone submission above.</p> <p>Transpower notes, however, that alternative drafting approaches could be adopted to achieve the same environmental outcome. Likewise, if Transpower's assessment that there is no Rural 2 Zoned land within the Richmond West Development Area is incorrect, then an alternative drafting solution could be adopted as per submission 9 above.</p> | <p>Amend controlled activity condition (m) under Clause 16.3.6.1 as follows:</p> <p><del>Electricity Transmission</del> <b>National Grid Subdivision Corridor</b></p> <p>(m) <del>in the Richmond West Development Area, any land to be subdivided is not located within the National Grid Subdivision Corridor at least 12 metres from the centre of any electricity transmission line shown on the planning maps.</del></p>   |
| <p><b>Submission 13:</b><br/>16.3.6.1 Controlled Subdivision (Rural 2 Zone)</p> | <p>A similar amendment to the submission point above is required in relation to proposed subdivision in proximity to National Grid substations.</p>  | <p>Amend the list of controlled activity conditions under Clause 16.3.6.1 by adding new condition (ma) as follows:</p>  |

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| <p><b>Submission 14:</b><br/>16.3.6.2 Restricted Discretionary Subdivision (Rural 2 Zone – Richmond West Development Area)</p> | <p>Transpower considers such proposals should be considered as restricted discretionary activities to ensure adverse effects on the substation are avoided or mitigated.</p> <p>Consistent with the submission point 13, Transpower considers that controlled activity status for subdivision of land within the National Grid Subdivision Corridor does not give effect to the NPSET.</p> <p>In conjunction with the amendment to condition (m) of Rule 16.3.6.1, an amendment to the associated operative restricted discretionary rule is proposed. Transpower notes, however, that alternative drafting approaches could be adopted to achieve the same environmental outcome.</p> | <p><b>National Grid Substations</b></p> <p>(ma) Any land to be subdivided is not located within 25 metres of any National Grid Substation.</p> <p><b>Amend</b> restricted discretionary activity Clause 16.3.6.2 as follows:</p> <p><b>16.3.6.2 Restricted Discretionary Subdivision (Rural 2 Zone – National Grid Subdivision Corridor Richmond West Development Area)</b></p> <p>Subdivision in the Rural 2 Zone that does not comply with controlled condition (m) of rule 16.3.6.1 is a restricted discretionary activity, if it meets the following condition:</p> <p>(a) All allotments shall identify a building platform for the principal building and any other building for a sensitive activity, to be located outside the National Grid Yard.</p> <p><b>A resource consent is required.</b> Consent may be refused or conditions imposed, only in respect of the following matters to which Council has restricted its discretion:</p> <p>(1) In the Richmond West Development Area:</p> <p>(a) the extent to which the design of the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP34:2004);</p> <p>(b) the extent to which the design of the subdivision allows for activities to be set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.</p> |

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|   |  | <p>(1) <u>any impacts on the operation, maintenance, upgrade and development of the National Grid;</u></p> <p>(2) <u>the ability of future development to comply with NZECP34:2001;</u></p> <p>(3) <u>technical details of the characteristics and risks on and from the National Grid infrastructure;</u></p> <p>(4) <u>the ability of the applicant to provide a complying building platform;</u></p> <p>(5) <u>the location, design and use of any proposed building platform or structure as it relates to the National Grid transmission line(s);</u></p> <p>(6) <u>the risk of electrical hazards affecting public or individual safety, and the risk of property damage; and</u></p> <p>(7) <u>the nature and location of any vegetation to be planted in the vicinity of National Grid Lines.</u></p> <p><b><u>Notification Criteria</u></b></p> <p><u>In respect of any application made pursuant to this rule, the application will be decided without public notification, unless special circumstances exist.</u></p> <p><u>Transpower New Zealand Ltd shall be considered an affected party, unless written approval is provided by them.</u></p> |
| <p><b>Submission 15:</b><br/>New Restricted Discretionary Rule 16.3.6.2A: Subdivision (Rural 2 Zone – Richmond West Development Area)</p> | <p>Consistent with submission 14 above, Transpower considers that subdivision in close proximity to National Grid substations should be considered as a restricted discretionary activity. This will ensure the effective implementation of the NPSET.</p> | <p><b>Add new</b> restricted discretionary activity Clause 16.3.6.2A as follows:</p> <p><b><u>16.3.6.2A Restricted Discretionary Subdivision (Rural 2 Zone – National Grid Substations)</u></b></p> <p><u>Subdivision in the Rural 2 Zone that does not comply with controlled condition (ma) of rule 16.3.6.1 is a restricted discretionary activity.</u></p>   |

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|  |  | <p><u>A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:</u></p> <ol style="list-style-type: none"> <li>(1) <u>the extent to which the subdivision may adversely affect the efficient operation, maintenance, upgrading and development of the substation.</u></li> <li>(2) <u>the extent to which the proposed subdivision design and layout enables appropriate separation distances between future sensitive activities, development and the substation.</u></li> <li>(3) <u>technical advice provided by the National Grid Operator.</u></li> <li>(4) <u>the location, height, scale, orientation and use of the proposed building platform or structure as it relates to the National Grid.</u></li> <li>(5) <u>any other measures proposed to avoid or mitigate potential adverse effects, including reverse sensitivity effects, on the substation.</u></li> </ol> <p><b><u>Notification Criteria</u></b></p> <p><u>In respect of any application made pursuant to this rule, the application will be decided without public notification, unless special circumstances exist.</u></p> <p><u>Transpower New Zealand Ltd shall be considered an affected party, unless written approval is provided by them.</u></p> |
| <p><b>Submission 16:</b><br/>Proposed Non-complying Subdivision Rule 16.3.6.5A</p> | <p>Consistent with the previous submission points above, Transpower considers that subdivision within the National Grid Corridor that does not identify building platforms for principal buildings or other buildings for sensitive activities</p> | <p><b>Amend</b> proposed non-complying subdivision Rule 16.3.6.5A as follows:</p> <p><b><u>16.3.6.5A Non-Complying Subdivision</u></b></p>  |

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| <p><b>Submission 17:</b><br/>16.3.8.1 Controlled Subdivision (Rural Residential Zone – Specified Location)</p> | <p>is (generally) contrary to the aim of the NPSET (particularly Policies 10 and 11 of the NPSET).</p> <p>Transpower considers the most appropriate activity status for such subdivisions is non-complying. Accordingly, an amendment to the proposed non-complying rule for subdivision in the Rural 2 zone is proposed to implement that outcome.</p> <p>Alternatively, a new standalone Non-complying activity Rule could be used to achieve the same environmental outcome.</p> <p>This submission and the three that follow generally replicate the overall approach to subdivision outlined above (in relation the Rural 1 and 2 Zones) for land within the Rural 2 Deferred Residential Zone that intersects the National Grid Subdivision Corridor.</p> <p>In the Operative Plan, the extent of this Zone that is relevant to the National Grid is limited to a portion of the area defined as the Richmond East Development Area.</p> <p>In the event the Rural 2 Zone ceases to apply at Richmond East and the Rural Residential Zone deferment is uplifted, Transpower considers it most appropriate to amend the existing provisions under the Deferred Zone to ensure the National Grid is not affected by inappropriate subdivision.</p> <p>Transpower notes that alternative drafting approaches could be adopted to achieve the same environmental outcome.</p> | <p><u>Subdivision in the Rural 2 Zone that does not comply with condition (m) of rule 16.3.6.2, condition (c) of rule 16.3.6.3A or condition (a) of rule 16.3.6.4A is a non-complying activity.</u></p> <p><u>A resource consent is required. Consent may be refused or conditions imposed. In considering the applications and determining conditions, Council will have regard to the criteria set out in Schedule 16.3A as well as any other provisions of the Plan or Act.</u></p> <p><b>Amend</b> controlled activity condition (i) under Clause 16.3.8.1 as follows:</p> <p><b><u>National Grid Subdivision Corridor</u></b></p> <p>(i) <del>In the Richmond East Development Area, any land to be subdivided is not located within the National Grid Subdivision Corridor at least 32 metres from the centreline of any electricity transmission line as shown on the planning maps</del></p> |
| <p><b>Submission 18:</b><br/>16.3.8.3 Restricted Discretionary</p>   | <p>Consistent with the previous submission point, Transpower considers that controlled activity status for</p>  | <p><b>Amend</b> restricted discretionary subdivision rule 16.3.8.3 as follows:</p>   |

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| <p>Subdivision (Rural Residential Zone – Specified Location)</p> | <p>subdivision of land within the National Grid Subdivision Corridor does not give effect to the NPSET.</p> <p>Under the operative Plan, Rule 16.3.8.3 relates to non-compliance with conditions (i) and (j) under Rule 16.3.8.1. These conditions apply to subdivision in proximity of transmission lines and protected vegetation (respectively)</p> <p>Transpower notes that this rule could be amended to give effect to its relief by updating the existing relevant references; however, Transpower considers it easiest to delete the existing references that relate to the National Grid, <u>and</u> to insert a new restricted activity rule 16.3.8.3A as detailed below. The operative rule as currently established lacks clarity and contains multiple (yet unrelated) matters of discretion applying.</p> | <p><b>16.3.8.3 Restricted Discretionary Subdivision (Rural Residential Zone – Specified Location)</b></p> <p>Subdivision in the Richmond East Development Area in the Rural Residential Serviced Zone that does not comply with conditions <del>(i) and (j)</del> of rule 16.3.8.1 is a restricted discretionary activity.</p> <p><b>A resource consent is required.</b> Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:</p> <p>(1) In the Richmond East Development Area:</p> <p><del>(a) the extent to which the design and construction of the subdivision allows for earthworks, building and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2004);</del></p> <p><del>(b) the extent to which the design and construction of the subdivision (including landscaping) allows for activities to be set back from high voltage transmission lines to ensure adverse effects on and from the National Grid and on public safety are appropriately avoided, remedied or mitigated;</del></p> <p><del>(c) where land, which is the subject of a subdivision proposal, contains a protected tree or the minimum root protection zone of a protected tree:</del></p> <p>(i) the extent to which the design of the proposed subdivision beneficially or adversely affects the protected tree and its amenity values; and</p> |

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|  |   | <p>(ii) the extent to which the subdivision proposal provides for activities, including general construction activities, to be set back from the protected tree to ensure that adverse effects on the protected tree are appropriately avoided, remedied or mitigated; and</p> <p>(iii) the extent to which any matter raised in a report of an appropriately competent person in arboriculture is addressed.</p> <p><b>Non-Notification</b><br/>Applications for resource consent for an activity under this rule will be decided without public notification.</p> <p><del>Note: The owner/operator of the transmission line is likely to be the only affected person to be determined in accordance with Section 95B of the Resource Management Act.</del></p>                                      |
| <p><b>Submission 19:</b><br/>New restricted discretionary subdivision rule 16.3.8.3A</p> | <p>Consistent with the submission above, Transpower proposes a new restricted discretionary activity rule to replace the component of operative Rule 16.3.8.3 applying to subdivision in the Deferred Zone in proximity to the National Grid.</p> | <p><b>Add</b> a new restricted discretionary rule 16.3.8.3A for subdivision of land within the National Grid Subdivision Corridor as follows:</p> <p><b><u>16.3.8.3A Restricted Discretionary Subdivision (National Grid Subdivision Corridor)</u></b></p> <p><u>Subdivision in the Rural Residential Zone that does not comply with condition (i) of rule 16.3.8.1 is a restricted discretionary activity, if it meets the following condition:</u></p> <p><u>(a) All allotments shall identify a building platform for the principal building and any other building for a sensitive activity, to be located outside the National Grid Yard.</u></p> <p><b><u>A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to</u></b></p> |

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|   |  | <p>which Council has restricted its discretion:</p> <ol style="list-style-type: none"> <li>(1) any impacts on the operation, maintenance, upgrade and development of the National Grid;</li> <li>(2) the ability of future development to comply with NZECP34:2001;</li> <li>(3) technical details of the characteristics and risks on and from the National Grid infrastructure;</li> <li>(4) the ability of the applicant to provide a complying building platform;</li> <li>(5) the location, design and use of any proposed building platform or structure as it relates to the National Grid transmission line(s);</li> <li>(6) the risk of electrical hazards affecting public or individual safety, and the risk of property damage; and</li> <li>(7) the nature and location of any vegetation to be planted in the vicinity of National Grid Lines.</li> </ol> <p><b>Notification Criteria</b></p> <p>In respect of any application made pursuant to this rule, the application will be decided without public notification, unless special circumstances exist.</p> <p>Transpower New Zealand Ltd shall be considered an affected party, unless written approval is provided by them.</p> |
| <p><b>Submission 20:</b><br/>New Non-complying Subdivision Rule 16.3.6.5A</p> | <p>Consistent with the previous submission points above, Transpower considers that subdivision within the National Grid Corridor that does not identify building platforms for principal buildings or other buildings for sensitive activities is (generally) contrary to the aim of the NPSET (particularly Policies 10 and 11 of the NPSET).</p> | <p>Add a new non-complying activity rule 16.3.8.6A for subdivision of land within the National Grid Corridor as follows:</p> <p><b>16.3.8.6A Non-Complying Subdivision</b></p> <p>Subdivision in the Rural Residential Zone that does not comply</p>  |



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|  | <p>Transpower considers the most appropriate activity status for such subdivisions is non-complying. Accordingly, a new non-complying rule for the Rural Residential Zone is proposed to implement that outcome.</p>   | <p>with condition (a) of rule 16.3.8.3A is a non-complying activity.</p> <p><u>A resource consent is required. Consent may be refused or conditions imposed. In considering the applications and determining conditions, Council will have regard to the criteria set out in Schedule 16.3A as well as any other provisions of the Plan or Act.</u></p>  |
| <p><b>Submission 21:</b><br/>16.3.20 Principal Reasons For Rules</p> | <p>Transpower notes that a consequential amendment needs to be made to the principal reasons for the rules to replace the reference to the Richmond West and East Development Areas with all applicable rural zones that comprise the National Grid. The operative reasons refer to 'development' affecting the National Grid, and should also refer to 'subdivision' given the focus of this Chapter.</p> | <p style="text-align: right;">24</p> <p><b>Amend the Principal Reasons for Rules under section 16.3.20 as follows:</b></p> <p><b>Electricity Transmission Corridor</b><br/>The Rural 1, Rural 2 and Rural Residential Zones <del>Richmond West and Richmond East development areas</del> are traversed by high voltage transmission lines which are important elements of the National Grid that need to be protected from adverse effects of <u>subdivision and development</u>. As well, development needs to be protected from risks of the electricity transmission lines.</p> |

## Chapter 17.5: Rural 1 Zone Rules

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| <p><b>Submission 22:</b><br/>Proposed Non-complying Subdivision Rule 17.5.1.1</p> | <p>The proposed amendment to Rule 17.5.1.1 is a consequential amendment to ensure that there is sufficient differentiation between the National Grid and those electricity distribution lines that have been divested to Network Tasman as of 1 December 2014.</p> | <p style="text-align: right;">25</p> <p><b>Amenity Plantings</b><br/>(i) In the Richmond West Development Area, all amenity plantings located within or 20 metres from the centreline of the electricity <del>transmission</del> <u>distribution</u> lines as shown on the planning maps are designed to ensure:<br/>(i) access to support structures is retained; and<br/>(ii) the mature height of the vegetation maintains at least a 4-metre vertical and an 8-metre horizontal separation from all conductors</p> |

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| <p><b>Submission 23:</b><br/>Rural 1 Zone<br/>Permitted Activity Rule 17.5.3.1</p> | <p>Transpower considers that buildings must be setback from National Grid conductors and support structures to ensure reverse sensitivity effects are managed, to maintain health and safety, and to ensure consistent, safe access to the Grid for maintenance, upgrade and development purposes (consistent with the NPSET).</p> <p>Similar to the subdivision provisions in the Rural 1 Zone discussed above, the Rural 1 Zone rules to manage the effects of buildings on the National Grid are limited to the Richmond West Development Area (which contains divested transmission lines). Where the National Grid intersects other Rural 1 Zones in the District, it is important the appropriate provisions are in place to manage the effects of new buildings (and associated activities) in the safe, efficient operation, maintenance, development and upgrade of the National Grid.</p> <p>Accordingly, new permitted activity standards are proposed. Transpower notes that alternative drafting approaches could be adopted to achieve the same environmental outcome.</p> | <p>Add new permitted activity condition '(kc)' to Rule 17.5.3.1 as follows:</p> <p><b>Setbacks</b></p> <p>...</p> <p><u>(ka) A building may be set within 5 metres of an internal boundary, where the landowner of the property has provided written permission.</u></p> <p><u>(kb) Habitable buildings are set back:</u></p> <p><u>(i) at least 30 metres from any internal boundary, except where the activity is an alteration to a dwelling, and the setback to the boundary is not thereby reduced;</u></p> <p><u>(ii) at least 300 metres from any building or enclosure that houses poultry that is on an existing lawfully established intensive livestock farm which is a poultry farm on or before 30 January 2016.</u></p> <p><u>(kc) No building or structure shall be located within the National Grid Yard unless it complies with the following:</u></p> <p><u>(i) Under the National Grid Conductors (wires):</u></p> <p><u>(a) on all sites within any part of the National Grid Yard any building or structure must:</u></p> <p><u>(1) if they are for a sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or</u></p> <p><u>(2) be a fence less than 2.5m high; or</u></p> <p><u>(3) be network utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid; or</u></p> <p><u>(4) be an uninhabitable farm building or structure for farming activities (but not a</u></p> |

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milking/dairy shed (excluding milking/dairy shed yards and ancillary structures), PSA\* Structures, or intensive farming buildings), or

(5) be an uninhabited horticultural building or structure other than a commercial greenhouse or intensive farming building.

(b) all buildings or structures permitted by (a) must also comply with at least one of the following conditions:

(1) a minimum vertical clearance of 10m below the lowest point of the conductor associated with National Grid lines; or

(2) demonstrate that safe electrical clearance distances required by NZECP34:2001 are maintained under all National Grid line operating conditions.

(ii) Around National Grid support structures:

(a) buildings and structures shall be at least 12m from a National Grid support structure unless it is a:

(1) network Utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid;

(2) fence less than 2.5m in height and more than 5m from the nearest support structure;

(3) horticultural structure between 8m and 12m from a single pole support structure that:

a. meets the requirements of the NZECP34:2001 for separation distances from the conductor;

b. is no more than 2.5m high;

c. is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance

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|  |  | <p>and emergency repair purposes; and</p> <p>d. allows all weather access to the pole and a sufficient area for maintenance equipment, including a crane; or</p> <p>(4) a horticultural structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34:2001 to be located within 12m of a tower or 8m of a pole support structure.</p> <p>* <u>Pseudomonas syringae pv. actinidiae (PSA) is a bacterium that can result in the death of kiwifruit vines</u></p>   |
| <p><b>Submission 24:</b><br/>Rural 1 Zone<br/>Non-Complying Activity Rule 17.5.3.1</p> | <p>Transpower considers that buildings and structures within the National Grid Yard which are not able to comply with the permitted activity rule are required to be considered a non-complying activity to implement the NPSET and to ensure that the integrity of National Grid is not compromised.</p>  | <p>Amend proposed non-complying Rule 17.5.3.3C as follows:</p> <p><b><u>17.5.3.3C Non-Complying Activities (Building Construction, Alteration or Use)</u></b></p> <p><u>Any construction, alteration, or use of a building in the Rural 1 Zone that does not comply with condition (kc) of rule 17.5.3.1 or the conditions of rule 17.5.3.3B is a non-complying activity.</u></p> <p><u>A resource consent is required. Consent may be refused, or conditions imposed. In considering the applications and determining conditions, Council will have regard to any other provisions of the Plan or Act.</u></p> |
| <p><b>Submission 25:</b><br/>Rural 2 Zone<br/>Permitted Activity Rule 17.6.2.1</p>     | <p>As provided by submission 26 below, Transpower considers that buildings must be setback from National Grid conductors and support structures to ensure reverse sensitivity effects are managed, to maintain health and safety, and to ensure consistent, safe access to the Grid for maintenance, upgrade and development purposes (consistent with the NPSET).</p> | <p>Add new 'Note' to permitted activity rule 17.6.2.1 as follows:</p> <p>...</p> <p><b><u>Note 1: Other legislation or requirements relating to health, food safety, building, traffic management and fire risk management may need to be complied with.</u></b></p> <p><b><u>Note 2: For land use within 25m of any National Grid substation</u></b></p>   |

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|  | <p>This requires restrictions on both buildings and activities which are sensitive to the effects of substations. However, the format of the operative plan is such that buildings and land use activities are managed under separate rules. To reduce duplication, Transpower has proposed a new rule 17.6.2A below to manage both buildings and activities; and accordingly, a note is proposed to the existing activity rule (17.6.2.1) to draw plan users' attention to the new rule.</p> | <p>see also <u>17.6.2A</u></p>   |
| <p><b>Submission 26:</b><br/>Rural 2 Zone<br/>New Restricted Discretionary Activity Rule</p> | <p>Consistent with the submission point above, Transpower considers that a new restricted discretionary activity rule is required to avoid or mitigate any adverse effects (including reverse sensitivity effects) on National Grid substations.</p>  | <p>29</p> <p>Add a new restricted discretionary activity rule 17.6.2A for buildings and land use within the National Grid Corridor as follows:</p> <p><b><u>17.6.2A Land Use and Buildings near National Grid Substations</u></b></p> <p><b><u>17.6.2A.1 Restricted Discretionary Activities (National Grid Substations)</u></b></p> <p><u>Any building, sensitive activity, hazardous facility or intensive development in the Rural 2 Zone within 25m of the designation boundary (or secured yard) of a National Grid substation is a restricted discretionary activity.</u></p> <p><u>A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:</u></p> <ol style="list-style-type: none"> <li><u>(1) The extent to which the development may adversely affect the efficient operation, maintenance, upgrading and development of the substation.</u></li> <li><u>(2) The extent to which the proposed development design and layout enables appropriate separation distances between the development or activities sensitive to National Grid lines and the substation.</u></li> <li><u>(3) The results of any detailed investigations to determine appropriate separation distances between activities</u></li> </ol> |

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| <p><b>Submission 27:</b><br/>Rural 2 Zone<br/>Permitted Activity Rule 17.6.3.1</p> | <p>This submission point adopts the same approach for the management of buildings and structures in the National Grid Yard in the Rural 2 Zone as is applied under submission point 23 above (in relation to the Rural 1 Zone).</p> | <p><u>sensitive to National Grid lines and the substation.</u><br/><u>(4) Any other measures proposed to avoid or mitigate potential adverse effects, including reverse sensitivity effects, on the substation.</u><br/><u>(5) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.</u></p> <p><b>Add a new permitted activity condition '(na)' to Rule 17.6.3.1 as follows:</b></p> <p><b>Setbacks</b></p> <p>...</p> <p><u>(n) Habitable buildings are set back:</u></p> <p><u>(i) at least 30 metres from any internal boundary, except where the activity is an alteration to a dwelling, and the setback to the boundary is not thereby reduced;</u></p> <p><u>(ii) at least 300 metres from any building or enclosure that houses poultry that is on an existing lawfully established intensive livestock farm which is a poultry farm on or before 30 January 2016.</u></p> <p><u>(na) No building or structure shall be located within the National Grid Yard or unless it complies with the following:</u></p> <p><u>(i) Under the National Grid Conductors (wires):</u></p> <p><u>(a) on all sites within any part of the National Grid Yard any building or structure must:</u></p> <p><u>(1) if they are for a sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or</u></p> <p><u>(2) be a fence less than 2.5m high; or</u></p> <p><u>(3) be network utilities within a transport corridor or any part of electricity infrastructure that connects to the National</u></p> |

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|  |  | <p><u>Grid: of</u></p> <p>(4) <u>be an uninhabitable farm building or structure for farming activities (but not a milking/dairy shed (excluding ancillary structures), PSA* Structures, or intensive farming buildings); or</u></p> <p>(5) <u>be an uninhabited horticultural building or structure other than a commercial greenhouse or intensive farming building.</u></p> <p>(b) <u>all buildings or structures permitted by (a) must also comply with at least one of the following conditions:</u></p> <p>(1) <u>a minimum vertical clearance of 10m below the lowest point of the conductor associated with National Grid lines; or</u></p> <p>(2) <u>demonstrate that safe electrical clearance distances required by NZECP34:2001 are maintained under all National Grid line operating conditions.</u></p> <p>(ii) <u>Around National Grid support structures:</u></p> <p>(a) <u>buildings and structures shall be at least 12m from a National Grid support structure unless it is a:</u></p> <p>(1) <u>network Utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid;</u></p> <p>(2) <u>fence less than 2.5m in height and more than 5m from the nearest support structure;</u></p> <p>(3) <u>horticultural structure between 8m and 12m from a single pole support structure that:</u></p> <p>a. <u>meets the requirements of the NZECP34:2001 for separation distances from the conductor;</u></p> <p>b. <u>is no more than 2.5m high;</u></p> <p>c. <u>is removable or temporary, to allow a</u></p> |
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| Provision   | Submission & Reasons   | Decision Requested  |
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| <p><b>Submission 28:</b><br/>Rural 2 Zone<br/>Permitted Activity Rule 17.6.3.1 (new Note)</p> | <p>Consistent with submission 25 above, Transpower proposes a consequential amendment to the permitted activity rule for buildings in the Rural 2 Zone to add a note drawing plan users' attention to proposed new Rule 17.6.2A</p>  | <p><u>clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and</u><br/><u>d. allows all weather access to the pole and a sufficient area for maintenance equipment, including a crane; or</u><br/><u>(4) a horticultural structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34:2001 to be located within 12m of a tower or 8m of a pole support structure.</u></p> <p>* <u>Pseudomonas syringae pv. actinidiae (PSA) is a bacterium that can result in the death of kiwifruit vines</u></p> <p>Add new 'Note' to permitted activity rule 17.6.3.1 as follows:<br/>...<br/>(t) Stormwater is managed and disposed of on-site, and the stormwater discharge complies with section 36.4 of this Plan.</p> <p><u>Note 5: For building construction, alteration or use within 25m of any National Grid substation see also 17.6.2A</u></p> |
| <p><b>Submission 29:</b><br/>Rural 2 Zone<br/>New Non-Complying Activity Rule 17.6.3.6</p>    | <p>Transpower considers that buildings and structures within the National Grid Yard which are not able to comply with the permitted activity rule are required to be considered a non-complying activity to ensure that the integrity of National Grid is not compromised.</p> | <p>Insert a new non-complying Rule 17.6.3.6 as follows:<br/><b><u>17.6.3.6 Non-Complying Activities (Building Construction, Alteration or Use)</u></b><br/><u>Any construction, alteration, or use of a building in the Rural 2 Zone that does not comply with condition (na) of rule 17.6.3.1 is a non-complying activity.</u><br/><b><u>A resource consent is required. Consent may be refused, or conditions imposed. In considering the applications and determining conditions, Council will have regard to any other</u></b></p>  |



| Provision  | Submission & Reasons   | Decision Requested  |
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| <p><b>Submission 30:</b><br/>Rural Residential Zone<br/>Permitted Activity Rule 17.8.3.1</p> | <p>This submission point adopts the same approach for the management of buildings and structures in the National Grid Yard in the Rural 2 Zone as is applied under submission points 23 and 27 above (in relation to the Rural 1 and Rural 2 Zones respectively).</p> <p>There is an existing rule, Clause 17.8.3.1(g)(vii) which applies to building setbacks in the Richmond East Development Area. This provision predates the NPSET and Transpower considers it is overly restrictive. The existing rule can be deleted, provided that the new condition (ha) and associated amendments are adopted.</p> | <p><u>provisions of the Plan or Act.</u></p> <p><b>Add a new permitted activity condition '(ha)' to Rule 17.8.3.1 as follows:</b></p> <p><b>Setbacks</b></p> <p>(g) Buildings are set back at least:</p> <p>...</p> <p>(vi) 10 metres from internal boundaries in the case of buildings housing livestock.</p> <p><del>(vii) 32 metres from the centreline of any electricity transmission line in the Richmond East Development Area (notwithstanding condition (g)(i)) as shown on the planning maps</del></p> <p>...</p> <p><del>(n) Dwellings and habitable buildings are set back at least:</del></p> <p><del>(i) 30 metres from a boundary where that boundary is to the Rural 1, Rural 2 or Rural 3 Zone;</del></p> <p><del>(ii) 300 metres from any building or enclosure that houses poultry on an existing lawfully established intensive livestock farm which is a poultry farm on or before 30 January 2016.</del></p> <p><u>(ha) No building or structure is not located within the National Grid Yard or unless it complies with the following:</u></p> |

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- (i) Under the National Grid Conductors (wires):
- (a) on all sites within any part of the National Grid Yard any building or structure must:
- (1) if they are for a sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur, or
  - (2) be a fence less than 2.5m high, or
  - (3) be network utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid; or
  - (4) be an uninhabitable farm building or structure for farming activities (but not a milking/dairy shed (excluding ancillary structures), PSA\* Structures, or intensive farming buildings); or
  - (5) be an uninhabited horticultural building or structure other than a commercial greenhouse or intensive farming building.
- (b) all buildings or structures permitted by (a) must also comply with at least one of the following conditions:
- (1) a minimum vertical clearance of 10m below the lowest point of the conductor associated with National Grid lines; or
  - (2) demonstrate that safe electrical clearance distances required by NZECP34:2001 are maintained under all National Grid line operating conditions.
- (ii) Around National Grid support structures:
- (a) buildings and structures shall be at least 12m from a National Grid support structure unless it is a:

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|   |   | <p>(1) <u>network Utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid;</u></p> <p>(2) <u>fence less than 2.5m in height and more than 5m from the nearest support structure;</u></p> <p>(3) <u>horticultural structure between 8m and 12m from a single pole support structure that:</u></p> <p>a. <u>meets the requirements of the NZECP34:2001 for separation distances from the conductor;</u></p> <p>b. <u>is no more than 2.5m high;</u></p> <p>c. <u>is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and</u></p> <p>d. <u>allows all weather access to the pole and a sufficient area for maintenance equipment, including a crane; or</u></p> <p>(4) <u>a horticultural structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34:2001 to be located within 12m of a tower or 8m of a pole support structure.</u></p> <p>* <u>Pseudomonas syringae pv. acitiniidae (PSA) is a bacterium that can result in the death of kiwifruit vines</u></p> |
| <p><b>Submission 31:</b><br/>Non-Complying Activity Rule 17.8.3.3</p> | <p>Consistent with the approach to Rural 1 and Rural 2 Zones above, Transpower considers that buildings and structures within the National Grid Yard in Rural Residential Zones which are not able to comply with the permitted activity rule should be considered a non-complying activity to best implement the NPSET and to ensure that the integrity of National Grid is not compromised.</p> | <p><b>Amend</b> proposed non-complying Rule 17.8.3.3 as follows:</p> <p><b>17.8.3.3 Non-Complying Activities (Building Construction, <u>ef</u> Alteration, <u>or Use</u>)</b></p> <p>Construction, <u>ef</u> alteration <u>or use</u> of a building that does not comply with condition (h)(vii) <u>or condition</u> (ha) of rule 17.8.3.1 or condition (ba) of rule 17.8.3.2 is a non-complying activity.</p>   |

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|           | <p>Transpower notes an existing error in the drafting of the rule, which refers to "condition (h)(vii) of rule 17.8.3.1". As there is no condition (h)(vii), there may be merit in making consequential amendments to this rule.</p> | <p><u>A resource consent is required. Consent may be refused, or conditions imposed. In considering the applications and determining conditions, Council will have regard to any other provisions of the Plan or Act.</u></p> |

### Chapter 18.5: Land Disturbance Areas

| Provision   | Submission & Reasons   | Decision Requested   |
|---|--|--|
| <p><b>Submission 32:</b><br/>Permitted Activity Rule 18.5.2.1</p> | <p>Transpower considers that amendments to the operative rules for the management of earthworks in Rural Zones are required to manage adverse effects on the National Grid.</p> <p>The Plan contains such provisions for the Richmond East Development Area (Zoned Rural 2); and it is appropriate to extend the application of these provisions to address all relevant rural zones, along with some technical amendments to align the provisions with current good practice.</p> | <p><b>Amend</b> condition (ib) under rule 18.5.2.1 as follows:</p> <p>In the <del>Richmond East Development Area</del> <u>Rural 1 Zone, Rural 2 Zone or Rural Residential Zone</u>, no earthworks are undertaken within the <u>National Grid Yard</u> <del>32 metres of the centreline of the electricity transmission line shown on the planning maps that:</del></p> <p>(i) <del>are not set back from a pole or stay wire of an overhead line by:</del></p> <p>(e) <del>2.2 metres if greater in depth than 300 millimetres; or</del></p> <p>(b) <del>5.0 metres if greater in depth than 750 millimetres; or</del></p> <p>(ii) are at a greater depth than 300 millimetres within <del>126 metres of the outer visible edge of any tower</del> <u>National Grid support structure foundation; or</u></p> <p>(iii) <del>are at a greater depth than 3 metres between 6 metres and 12 metres of the outer visible edge of a tower support structure; or</del></p> <p>(ii) <u>compromise the stability of a National Grid support structure</u></p> <p>(iii) <u>create an unstable batter; or</u></p> <p>(iv) <u>raise the ground level so as to reduce the vertical distance from the ground to the transmission line result in a reduction in the ground to conductor clearance distances below what is required by Table</u></p> |

| Provision   | Submission & Reasons   | Decision Requested  |
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|   |  | <p>4 of NZECP34.</p> <p>Exceptions:</p> <p>(1) <u>Earthworks undertaken by network utility operators for a Network Utility within a transport corridor, as part of a transmission activity, or for electricity infrastructure.</u></p> <p>(2) <u>(a) and (b) do not apply to vertical holes unless they not exceeding 500 millimetres in diameter, provided they:</u><br/> <u>(a) are greater than within 1.5 metres from the outer edge of a pole support structure or stay wire; or</u><br/> <u>(b) are a post hole for a farm fence or horticultural structure and more than 5m from the visible outer edge of a tower support structure foundation.</u></p> <p>(3) Normal agricultural or domestic cultivation or repair, sealing, resealing of an existing road, footpath or driveway.</p> |
| <p><b>Submission 33:</b><br/>           Restricted Discretionary Activity Rule 18.5.2.5</p> | <p>Transpower considers it appropriate for earthworks applications which fail to comply with the maximum permitted depth or minimum separation distance from support structure foundations to be assessed as restricted discretionary activities. An amendment to rule 18.5.2.5 is proposed accordingly.</p> | <p>Amend rule 18.5.2.5 as follows:</p> <p>Any land disturbance that does not comply with the permitted conditions of rule 18.5.2.1 or with the controlled conditions of rules 18.5.2.2 and 18.5.2.3, <u>and is not a non-complying activity under rule 18.5.2.6,</u> is a restricted discretionary activity, if it complies with the following conditions:</p> <p>...</p>   |
| <p><b>Submission 34:</b><br/>           Non-Complying Activity Rule 18.5.2.6</p>            | <p>Transpower considers that earthworks proposals that jeopardise the structural integrity of transmission lines or result in unsafe separation distances from conductors should be assessed as non-complying activities. A new non-complying activity rule is proposed to achieve that end.</p>             | <p>Insert a new rule 18.5.2.6 as follows:</p> <p><u>In the Rural 1 Zone, Rural 2 Zone or Rural Residential Zone, within the National Grid Yard, any land disturbance that does not comply with condition 18.5.2.1(ib)(ii) or</u></p>  |

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|           |                      | <u>18.5.2.1(ib)(iv)</u> |

**Consequential Amendments**

| Provision            | Submission & Reasons  | Decision Requested   |
|----------------------|---|--|
| <b>Planning Maps</b> | <p>Transpower considers that it is important to differentiate between the National Grid Transmission Corridor and any distribution lines that have been divested to Network Tasman. Subsequently, Transpower submits that all relevant planning maps be amended to delete reference to these divested assets.</p> | <p><b>Amend</b> all planning maps to delete reference to divested assets which no longer form a part of the National Grid.</p> |

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