

## 12. Infrastructure

Submission No. and Point / Submitter Name	Plan Provision	Summary of Submission	Decision Requested
	<b>General</b>		
<b>67.1 ICC Drainage Manager</b>	General – Flood Protection Infrastructure	The submitter is concerned that Flood Protection Infrastructure is not included in section 2.9.	That flood protection infrastructure is added to the list of infrastructure is added to the list of Infrastructure in Section 2.9 and 2.9.3
<b>69.1 ICC Roading Manager</b>	General – Link between proposed Bylaw and subdivision infrastructure	The submitter raises concerns about the potential links between the proposed Bylaw 2013/1 Code of Practice for Land Development and Subdivision Infrastructure and the District Plan. The submitters concerns include land and infrastructure that is proposed as part of a subdivision that is to be vested in Council ownership in terms of identification, standards, and timing of approvals.	Review of, and any necessary amendment of, the proposed Plan in relation to a number of issues relating to the relationship between the proposed ICC Bylaw 2013/1 and the district plan infrastructure provisions
<b>70.1 ICC Water Services Manager</b>	General - Link between proposed Bylaw and subdivision infrastructure	The submitter is concerned that infrastructure, created through subdivision, that is to be vested with Council should be designed and constructed to meet a sufficient standard that can be serviced and maintained without being a liability on Council	That the creation of infrastructure resultant from subdivision be subject to compliance with the ICC 2013/1 Code of Practice for Land Development and Subdivision Infrastructure
<b>117.9 Southern District Health Board</b>	General – telecommunication facilities provisions	The submitter commends the Council for identifying that there may be some public concern around the location of telecommunication facilities and recommends that a clear plan is developed on how to disseminate appropriate evidence-based information to these communities	Recommends that a clear plan is developed on how to disseminate appropriate evidence-based information to communities
<b>SECTION 2.9 – ISSUES, OBJECTIVES, AND POLICIES</b>			
	<b>General</b>		
<b>120.4 Open Country Dairy Ltd</b>	General – Servicing industrial areas	The submitter considers that growth in the Industrial areas could be hampered by limited access to potable water supply and wastewater disposal. The submitter is concerned that there is only general reference to water supply and wastewater disposal, and that there is no policy guidance or consideration to facilitating infrastructure associated with industrial development	Revise Objectives and Policies in Section 2.9 to recognise the merits of water supply networks and waste water reticulation for industrial developments when considering upgrades and enhancements to Council's infrastructure systems
	<b>Introduction</b>		
<b>18.46</b>	Introduction	The submitter considers that the Introduction to this section lacks	Add as an (E) "Flood Alleviation Works (stopbanks,

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<b>Environment Southland</b>		reference to flood alleviation works which are extremely important infrastructure that mitigate both marine and riverine inundation within the city.	detention dams and associated drainage works).”
<b>24.22 South Port NZ Ltd</b>	Introduction	<p>Oppose in part. The submitter considers that insufficient regard is had to the significance of the Port in the introductory section of this chapter. The statement relates more to local infrastructure (i.e. stormwater networks etc.) rather than significant regional infrastructure such as the Port facilities. Additional and appropriate recognition for regional infrastructure needs to be made in this introductory text.</p> <p>The submitter considers that the statement should also better recognise some of the constraints that can affect port facilities if inappropriate adjacent development is allowed to occur over time.</p>	<p>Amend the introduction to include additional text that recognises the significance of infrastructure such as the Port as follows:  <u>“Significant infrastructure including ports and airport facilities are key physical resources of the City which are to be managed sustainably. When developing, modifying, maintaining, and operating such infrastructure, it is not always practicable to internalise all adverse effects on the environment. The presence of such infrastructure influences the quality of the environment surrounding it, which is reflected in the need for specific port and airport related zones. As a result care needs to be taken locating activities that may affect the efficient and effective operation and development of such infrastructure, including noise sensitive activities.”</u></p>
<b>53.7 NZ Transport Agency</b>	Introduction	The submitter considers this section oversimplifies the processes of the Resource Management Act that relate to designations and infrastructure. Paragraph four refers to the assessment of designations relating to environmental effects. This is only one aspect of the Act as it relates to designation, and the submitter suggests that this should be identified in the introduction to the section.	<p>Amend the second sentence of paragraph four as follows:</p> <p>“Any request for such a designation will be assessed having regard to the provisions of the Resource Management Act applicable to the designation process, including having regard to the environmental effects of the proposal and associated works.”</p>
<b>53.8 NZ Transport Agency</b>	Introduction	The submitter considers that the intention is not clear, given the proposed wording.	<p>Amend the final sentence of paragraph five as follows:</p> <p>“Where subdivision and/or land use is undertaken, the provision of infrastructure, and/or any requirement to expand or upgrade existing infrastructure, is considered as part of the consenting process.”</p>

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<b>65.21 ICC Environmental and Planning Services</b>	Introduction	Support in part. The submitter considers that it should be clarified that the Airport and Seaport are both infrastructure facilities that are addressed under Zone Specific Objectives, Policies and Rules. They are also referred to in the Transportation Objectives and Policies.	Add a paragraph to the introduction section, similar to: <u>“It should be noted that Airport and Seaport facilities are both infrastructure resources that are addressed elsewhere in the District Plan under the Transportation and Zone Specific Objectives, Policies and Rules.”</u>
<b>65.22 ICC Environmental and Planning Services</b>	Introduction	Support in part. The submitter notes that the description of infrastructure in the introduction and the definition of infrastructure in Section Four are not the same	Amend the description of infrastructure in the introduction to the same definition of infrastructure in Section Four
<b>79.7 KiwiRail Holdings Ltd</b>	Introduction	Oppose in part. The submitter considers that land transport networks should be identified as infrastructure and thus influenced by the policies and objectives in Section 2.9	Amend Introduction as follows: “(d) <u>Land transport networks including rail, port and airport facilities and installations...</u> ”
<b>87.10 Transpower NZ Ltd</b>	Introduction	Support in part. The submitter seeks that the introduction be amended to recognise that the benefits of the National Grid are regional and national, as well as local, and reflect the direction of the NPSET and provide for all activities relating to the National Grid, not just maintenance and replacement. Furthermore, the submitter considers the wording should reflect the direction under the NPSET to consider the benefits of the National Grid not just the environmental effects.	(i) Amend the introduction to the Infrastructure Issues, Objectives and Policies as follows: “... The provision of infrastructure is essential for meeting the economic, social and health and safety needs of individuals, <del>and</del> the community <u>and the nation</u> , and it is appropriate for the District Plan to recognise these benefits. It is also appropriate for the District Plan to provide for these activities and their <u>development, operation, upgrading</u> , maintenance and replacement. ..... Under the Resource Management Act 1991 the providers of infrastructure for public works and network utilities are able to use procedures to designate land for such activities. Any request for such a designation will be assessed having regard <u>to the route, site and method selection</u> , the <u>environmental effects, the benefits to local, regional and national communities and any locational, technical and operational requirements</u>

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			of the activity and any works to be undertaken. “ (ii) And any consequential amendments
<b>91.5 PowerNet Ltd</b>	Introduction	Support in part. The submitter considers that the Infrastructure section should be a “complete code” with no other rule or section of the Plan apply to infrastructure activity unless directly referred to in the Infrastructure section on the grounds that this would be the most transparent approach	Make the Infrastructure section of the Plan a “complete code” with no other rule or section of the Plan apply to infrastructure activity unless directly referred to in the Infrastructure section
<b>103.2 Invercargill Airport Ltd</b>	Introduction	Support. The submitter considers it appropriate to recognise the importance of infrastructure.	Retain
	<b>2.9.1 Issues</b>		
<b>18.47 Environment Southland</b>	Issues	Support.	Retain
<b>24.23 South Port NZ Ltd</b>	Issues	Oppose in part. The submitter would like to see the issue statement broadened to also recognise that the provision of infrastructure is critical to the social and economic wellbeing of the community. In this regard, the provision of infrastructure (such as ports) can assist with improving people’s quality of life, facilitate additional development and growth in communities, and provide employment opportunities.	Amend the issue so that it recognises that the provision of infrastructure is critical to the economic, social and cultural wellbeing of the community.
<b>103.3 Invercargill Airport Ltd</b>	Issues	Support in part. The submitter would like to see recognition of the potential adverse effects of reverse sensitivity from incompatible development on the functionality of infrastructure	Amend. Include additional issue: <u>“That infrastructure can be adversely affected by reverse sensitivity effects arising from the establishment or encroachment of incompatible land uses</u>
<b>87.11 Transpower NZ Ltd</b>	Issue 1	Support in part. The submitter considers that to give effect to Policy 10 of the NPSET the Issue should also recognise the effects of poorly integrated subdivision, as this often leads to new development, particularly residential, and include consideration of the effects of development on the safe and efficient functioning of the National Grid, given its important to the community.	(i) Amend Issue 1 as follows: “Poor integration of <u>subdivision</u> , land use and development with existing local, regional and national infrastructure can lead to inefficiencies, and can adversely affect the social and economic well-being of the community <u>as well as the safe and efficient functioning of network utilities.</u> ” (ii) And any consequential amendments.

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79.8 KiwiRail Holdings Ltd	Issue 5	Support. The submitter supports recognition of reverse sensitivity effects and the protection of significant transport infrastructure	Retain Issue 5
87.12 Transpower NZ Ltd	New Issue	The submitter seeks that a new issue be included to clearly identify that ongoing development, operation, maintenance and upgrading of infrastructure supports economic and social wellbeing. This will give effect to Policy 1 of the NPSET that seeks to recognise the benefits of the transmission of electricity.	(i) Include a new Issue as follows: <u>“6. The ongoing development, operation, maintenance and upgrading of infrastructure supports economic and social wellbeing.”</u> (ii) And any consequential amendments.
	<b>2.9.2 Objectives</b>		
18.48 Environment Southland	Objectives	Support	Retain
24.24 South Port NZ Ltd	Objective 1	Support in part. The submitter considers the wording of this objective to be somewhat ambiguous. It is not clear what is meant by the term “operates efficiently”. It could be interpreted that this relates to the infrastructure itself in terms of its operating regimes and associated efficiencies which would not be appropriate. The submitter believes the objective should therefore seek to protect the operational capacity of such infrastructure.	Amend the objective as follows: “Invercargill’s local, regional and national infrastructure is secure <u>and its operational capacity is protected.</u> ”
103.4 Invercargill Airport Ltd	Objective 1	Support in part. The submitter believes it is appropriate to seek to ensure the district’s infrastructure is secure, but questions the term “operates efficiently” The submitter suggests the objective be reworded to seek to protect the operational capacity of such infrastructure	Amend Objective 1 as follows: “Invercargill’s local, regional and national infrastructure is secure <u>and its existing and future operational capacity is protected.</u> ”
24.25 South Port NZ Ltd	Objective 2	Support in part. The submitter considers that it is not clear what is meant by [c] where it refers to “providing local, subregional and national benefits”. The submitter suggests this confuses the objective and is not necessary as infrastructure should be protected from incompatible activities.  The submitter also considers that clause [c] would be best set out as its own objective as it does not sit comfortably within this objective which relates to the development of infrastructure, rather than the effects of	Delete reference to local, subregional and national benefits in clause [c], and set clause [c] as a separate objective in the Plan.

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		other activities on such infrastructure.	
53.9 NZ Transport Agency	Objective 2 (C)	The submitter suggests this objective needs to be reworded to clarify its intent. Further, the submitter queries the inclusion of “subregional” in this objective, as it appears that subregional would refer to local benefits, which are already identified in the objective. The submitter suggests this is clarified to refer to regional benefits.	Retain <b>Objective 2(c)</b> but reword as follows:  “Protecting infrastructure that provides local, regional or national benefits from incompatible subdivision, use and development.”
79.9 KiwiRail Holdings Ltd	Objective 2 (C)	Oppose in part. The submitter considers that the Objective could be better reworded to be clearer in its intent	Reword Objective 2(C) as follows: <u>“The operation , maintenance and enhancement of local, sub-regional and nationally significant infrastructure (including land transport networks) is recognised and protected from incompatible subdivision and development”</u>
65.23 ICC Environmental and Planning Services	Objective 2	Support in part. The submitter considers that clause (C) of Objective 2 should be written as a separate objective	Delete Objective 2(C) and rewrite as a new objective as follows: <u>“Protect existing infrastructure from incompatible subdivision, use and development, providing local, subregional and national benefits”</u>
87.13 Transpower NZ Ltd	Objective 2	Support in part. The submitter seeks that Objective be amended to be more directional and clear in what it is seeking to achieve, clearly stating that it is trying to manage adverse effects on infrastructure that would affect its ability to operate, upgrade and develop. General subdivision and development does not have the same national significance or constraints as the national grid and therefore should be avoided.	(i) Amend Objective 2 as follows: <u>“Objective 2: Infrastructure is developed, operated, maintained and upgraded To recognise and provide for the ongoing operation, maintenance, upgrading and development of infrastructure, including the National Grid, whilst: (A) Efficiently and effectively meeting the current foreseeable needs within and between districts. (B) Fulfilling functional, locational, technical, and operational requirements and avoiding, remedying or mitigating the effects on the environment. (C) Protecting infrastructure from incompatible subdivision, use and development, Avoiding the establishment of subdivision and land</u>

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			<u>use activities that could adversely affect the operation, maintenance, upgrading and development of infrastructure providing local, sub-regional and national benefits.”</u>
<b>91.6 PowerNet Ltd</b>	Objective 2	<p>Support in part. The submitter considers that it is not clear what is meant by [c] where it refers to “providing local, subregional and national benefits”. The submitter suggests this confuses the objective and is not necessary as infrastructure should be protected from incompatible activities.</p> <p>The submitter also considers that clause [c] would be best set out as its own objective as it does not sit comfortably within this objective which relates to the development of infrastructure, rather than the effects of other activities on such infrastructure.</p>	Delete reference to local, subregional and national benefits in clause [c], and set clause [c] as a separate objective in the Plan.
<b>103.5 Invercargill Airport Ltd</b>	Objective 2	Support in part. The submitter does not think that clause (c) fits under this objective but should be an individual objective. The submitter also believes that the term “local, sub-regional and national benefits” is unnecessary	Delete reference to local, sub-regional and national benefits in clause (c) and set clause (c) as a separate objective in the Plan
<b>65.24 ICC Environmental and Planning Services</b>	Objective 3	Support in part. The submitter notes that the term “utilities” is a term not used elsewhere in the Plan	Amend Objective 3. Replace the word “utilities” with the word “infrastructure” “To ensure that the location and design of <del>utilities</del> <u>infrastructure</u> avoids significant adverse effects on:...”
<b>77.26 Te Runaka o Waihopai and Te Runaka o Awarua</b>	Objective 3	Support	Retain
<b>87.14 Transpower NZ Ltd</b>	Objective 3	Support in part. The submitter seeks that Objective 3 specifically refers to the National Grid. The submitter also considers that Objective 3 is a more directive approach than Policy 8 requires and seeks that it be amended to require effects to be avoided, remedied or mitigated, reflecting a more general approach to the management of the range of environments specified in the Objective.	<p>(i) Amend Objective 3 as follows: “<b>Objective 3:</b> To ensure that the location and design of <u>utilities, including the National Grid,</u> avoids, <u>remedies or mitigates</u> significant adverse effects on: ...”</p> <p>(ii) And any consequential amendments.</p>
<b>53.10 NZ</b>	Objective 4	The submitter queries the rationale for limiting the application of this	Retain Objective 4, but reword as follows:

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<b>Transport Agency</b>		objective to the electricity transmission network only. The issues faced by most infrastructure providers are the same, and as such the overly narrow focus of this objective fails to take into account the character of most infrastructure networks. The submitter considers that the objective should be refocused to deal with the wider infrastructure network	"To provide for the sustainable, secure and efficient use and development of infrastructure while seeking to avoid, remedy or mitigate adverse effects on the environment..."
<b>65.25 ICC Environmental and Planning Services</b>	Objective 4	Support. The submitter considers that the wording of the Objective could be tidied up to avoid the repetition of the word "while"	Amend Objective 4 to read: "To provide for the sustainable... of the electricity transmission network <u>recognising the technical and operational requirements and constraints of the network</u> , while seeking to avoid, remedy or mitigate adverse effects on the environment to the extent practicable"
<b>87.15 Transpower NZ Ltd</b>	Objective 4	Support in part. The submitter seeks that the objective should reflect the intent of the NPSET and provide for the operation, maintenance and upgrading of the National Grid, and that the benefits of the network are taken into consideration.	(i) Amend Objective 4 as follows: <b>"Objective 4</b> To provide for the sustainable, secure and efficient <del>use and development,</del> <u>operation, maintenance and upgrading</u> of the National Grid while seeking to avoid, remedy or mitigate adverse effects on the environment to the extent practicable, and while recognising the technical and operational requirements and constraints, <u>and the benefits</u> of the network. " (ii) And any consequential amendments.
<b>88.70 Federated Farmers</b>	Objective 4	Support in part. The submitter considers that developing a regulatory framework aimed at providing for the electricity transmission network can also have adverse effects on land or practices which are being controlled, and Council needs to balance protection of the undoubted benefits of electricity transmission infrastructure with the adverse impacts these protections may have on other land uses.  The submitter believes Council should not specifically provide for development of electricity infrastructure in this Objective, as further development will create additional impositions on other land users and uses and these should be considered fully and separately to, the use of	Adopt this objective, with the following wording amendment:  "To provide for the sustainable, secure and efficient use <del>and development</del> of the electricity transmission network while seeking to avoid, remedy or mitigate adverse effects on the environment <u>and other legitimate land uses</u> to the extent practicable, and while recognising the technical and operational requirements and constraints of the network."



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		the network.	
<b>53.11 NZ Transport Agency</b>	Objective 5	The submitter queries the rationale for limiting the application of this objective to the electricity transmission network only. The issues faced by most infrastructure providers are the same, and as such the overly narrow focus of this objective fails to take into account the character of most infrastructure networks. The submitter considers that the objective should be refocused to deal with the wider infrastructure network	Retain Objective 5, but reword as follows: "To recognise the importance of infrastructure to the social and economic well being of the city, the Southland Region and the nation."
	<b>2.9.3 Policies</b>		
<b>18.49 Environment Southland</b>	Policy 1 – Existing Infrastructure	Support the policy but the last sentence of the explanation is unnecessary	Delete the last sentence of the explanation and the list A-J that follows. Failing that delete the word "Essential" from the sentence because it is not required (the Policy addresses all existing infrastructure and it is already recognised in the second para of the infrastructure section introduction that "the provision of infrastructure is essential.". If it is felt that the above changes are not required, add as a (K) "Flood Alleviation Works"
<b>24.26 South Port NZ Ltd</b>	Policy 1 – Existing Infrastructure	Support. The submitter considers it appropriate to provide for the continued operation, maintenance and upgrading of existing infrastructure.	Retain.
<b>26.5(a) NZ Defence Force</b>	Policy 1 – Existing Infrastructure	Oppose (in part).  The submitter is concerned that defence facilities are not included in the list of essential services under Policy 1. The submitter has interests throughout NZ, including an Army Regional Office in Invercargill, and supports the recognition of defence facilities as national and regional infrastructure.	The addition of 'defence facilities' to the list of essential infrastructure services listed under Policy 1.
<b>32.3 Silver Fern Farms Ltd</b>	Policy 1 – Existing Infrastructure	Support. The submitter states that the efficiency of their business depends on secure and reliable services such as power, water, wastewater, telecommunications and road/rail networks.	Retain intent of the policy to provide, maintain and operate service infrastructure.
<b>52.3 NZ Police</b>	Policy 1 – Existing Infrastructure	The submitter notes that the explanation to the policy only refers to telecommunication sites, not radiocommunication sites.	Not stated.
<b>53.12 NZ</b>	Policy 1 –	With regard to point (H), the submitter states that the requirement to	Retain Policy 1, but amend the explanation to read:

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<b>Transport Agency</b>	Existing Infrastructure	prepare a Regional Land Transport Strategy has been removed in a recent amendment to the Land Transport Management Act, and while the existing Regional Land Transport Strategy provides a current snapshot of the road and rail network throughout Invercargill, as there is no requirement to prepare such documents in the future, its accuracy will be lessened. Further, the submitter does not consider it good practice to refer to such broad networks by deferring to the content of a separate document, which is not prepared by the Invercargill City Council.	“(H) Road and rail networks.”
<b>79.10 KiwiRail Holdings Ltd</b>	Policy 1 – Existing Infrastructure	Support. The submitter considers the protection of significant transportation infrastructure is important	Retain Policy 1
<b>87.16 Transpower NZ Ltd</b>	Policy 1 – Existing Infrastructure	Oppose in part. The submitter seeks that the policy should specifically refer to the National Grid given its importance to the region and New Zealand, believing that this will also give effect to Policy 2 of the NPSET.	(i) Amend Policy 1 as follows: <b>“Existing infrastructure:</b> To recognise and provide for the continued operation, maintenance and upgrading of local, regional and national infrastructure (including the National Grid) and associated activities.” (ii) And any consequential amendments.
<b>88.71 Federated Farmers</b>	Policy 1 – Existing Infrastructure	Support in part. The submitter considers that upgrades of a scale over and above a minor upgrade may result in adverse impacts, including impacts on other legitimate land uses, and this should in turn require further scrutiny by Council, stakeholders and other land users, to enable these parties to weight the benefits of an upgrade proposal against the likely adverse impacts.	Adopt this policy, with the following wording amendment:  To recognise and provide for the continued operation, maintenance and <u>minor</u> upgrading of local, regional and national infrastructure and associated activities.
<b>91.7 PowerNet Ltd</b>	Policy 1 Existing Infrastructure	Support. The submitter considers that this provision is consistent with sustainable management as defined in the RMA	Retain Policy 1
<b>102.2 Chorus NZ Ltd</b>	Policy 1 - Existing Infrastructure	The submitter notes that the Plan variously refers to “infrastructure”, “utilities” or network “utilities” but only “infrastructure” is defined. The explanation to the policy also refers to telecommunication sites, not lines and there is no reference to radiocommunication sites.	Amend as follows: a. Use consistent and inclusive terminology for “infrastructure”, “utilities” and “network utilities” throughout the Plan b. Amend Policy 1 to include reference to “network utilities” and radiocommunication networks and sites
<b>103.6 Invercargill</b>	Policy 1-	Support. The submitter considers it appropriate to provide for the	Retain

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<b>Airport Ltd</b>	Existing Infrastructure	continued operation, maintenance and upgrading of existing infrastructure	
<b>104.2 Telecom NZ Ltd</b>	Policy 1 - Existing Infrastructure	The submitter notes that the Plan variously refers to “infrastructure”, “utilities” or network “utilities” but only “infrastructure” is defined. The explanation to the policy also refers to telecommunication sites, not lines and there is no reference to radiocommunication sites.	Amend as follows: c. Use consistent and inclusive terminology for “infrastructure”, “utilities” and “network utilities” throughout the Plan d. Amend Policy 1 to include reference to “network utilities” and radiocommunication networks and sites
<b>18.50 Environment Southland</b>	Policy 1 (H)	The submitter advises that the Land Transport Management Act 2013 replaced the Regional Land Transport Strategy with a new Regional Land Transport Plan. The new Regional Land Transport Plan must be adopted by 30 June 2013.	Change the reference to the Regional Land Transport Strategy to recognise the new requirements of the Land Transport Management Act.
<b>24.27 South Port NZ Ltd</b>	Policy 2 - Management of effects	Oppose. The submitter does not consider it appropriate to require in the first instance the avoidance of the impacts of infrastructure on the environment. The RMA does not require that all adverse effects are avoided where this is practical and in all other cases for such impacts to be mitigated.  The submitter also considers that because of the essential nature of infrastructure, there may be some residual adverse effects that cannot be completely avoided, mitigated or remedied and as such the policy should seek that the more significant adverse effects are suitably managed.	Amend Policy 2 as follows: <u>“Where appropriate, to avoid, remedy or mitigate the significant adverse effects of infrastructure on the environment.”</u>
<b>87.17 Transpower NZ Ltd</b>	Policy 2 - Management of effects	Oppose in part. The submitter considers the term ‘where practical’ is open to interpretation and does not provide clear policy direction for either the public or the Council. Furthermore, the submitter believes the policy does not reflect the intent of the Act that effects are avoided, remedied or mitigated.	(i) Amend Policy 2 as follows: <b>“Policy 2 Management of effects</b> To avoid <del>where practical or mitigate impacts of infrastructure on the environment.</del> , <u>remedy or mitigate the adverse environmental effects arising from the development, construction, operation, maintenance and upgrading of infrastructure, including the National Grid.</u> ” (ii) And any consequential amendments.
<b>87.18 Transpower</b>	Policy 2 -	Oppose in part. The submitter considers reference should be made to the	(i) Amend the Policy 2 Explanation:

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NZ Ltd	Management of effects (Explanation)	<p>National Policy Statement on Electricity Transmission as well as the National Environmental Standards for Telecommunication Facilities.</p> <p>The submitter also considers that the Explanation should include consideration of the need to balance effects on the environment with locational, technical and operational requirements of infrastructure, the ability to avoid remedy or mitigate adverse effects, as well as the benefits from the infrastructure.</p> <p>The submitter suggests the words 'avoid, remedy or mitigate' are widely understood resource management terms and should be used in place of the words 'detract from', which are not used within the RMA and are not clearly defined in case law.</p>	<p><b>“Explanation</b> - While public infrastructure provides communities with essential services, this infrastructure should <u>avoid, remedy or mitigate not detract from adverse effects on</u> the environment in which it is placed. This is especially important when looking to install new infrastructure. The Council is required to give effect to the National Environmental Standards for Telecommunication Facilities <u>and the National Policy Statement on Electricity Transmission.</u> Careful consideration of all infrastructure types and possible <del>locations</del> <u>routes and sites</u> should be completed to determine which option will <u>avoid, remedy or mitigate adverse effects have the least impact to on</u> the environment, <u>enable the development of sustainable, secure and efficient infrastructure</u> and ensure that infrastructure is integrated with surrounding land use. <u>However, such consideration should also recognise any locational, technical and operational constraints of the infrastructure.</u> Assessments of environmental effects should have regard to all matters of national significance and adverse effects of construction. Infrastructure should be encouraged to co-locate or share facilities where this is feasible and practicable to minimise the cumulative effects of infrastructure on the environment. “</p> <p>(ii) And any consequential amendments.</p>
91.8 PowerNet Ltd	Policy 2 Management of effects	Oppose. The submitter does not consider it appropriate to require in the first instance the avoidance of the impacts of infrastructure on the environment. The RMA does not require that all adverse effects are avoided where this is practical and in all other cases for such impacts to	Amend the policy as follows: <u>“Where appropriate, to avoid, remedy or mitigate the significant adverse effects of infrastructure on the environment.”</u>

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		<p>be mitigated.</p> <p>The submitter also considers that because of the essential nature of infrastructure, there may be some residual adverse effects that cannot be completely avoided, mitigated or remedied and as such the policy should seek that the more significant adverse effects are suitably managed.</p>	
<b>103.7 Invercargill Airport Ltd</b>	Policy 2 Management of effects	Oppose. The submitter believes that the priority should not be to avoid the impacts of infrastructure on the environment, as at times this is not possible. Given the importance of infrastructure, the submitter considers that the focus of the policy should be on managing the adverse effects.	Replace Policy to as follows: <u>“Where appropriate to avoid remedy or mitigate the adverse effects of infrastructure on the environment.”</u>
<b>102.3 Chorus NZ Ltd</b>	Policy 2 Management of Effects	Support in part. The submitter notes that the explanation does not reflect the policy and encourages co-location or sharing facilities, rather than merely avoidance or mitigation	Amend Policy 2 as follows: “To avoid where practical or mitigate impacts of infrastructure on the environment, <u>including through considering alternatives and co-location or sharing of facilities where feasible.</u> ”
<b>104.3 Telecom NZ Ltd</b>	Policy 2 Management of Effects	Support in part. The submitter notes that the explanation does not reflect the policy and encourages co-location or sharing facilities, rather than merely avoidance or mitigation	Amend Policy 2 as follows: “To avoid where practical or mitigate impacts of infrastructure on the environment, <u>including through considering alternatives and co-location or sharing of facilities where feasible.</u> ”
<b>24.28 South Port NZ Ltd</b>	Policy 3 – Reverse Sensitivity	Support. The submitter considers it appropriate to recognise that infrastructure should be suitably protected from incompatible land uses and activities.	Retain.
<b>53.13 NZ Transport Agency</b>	Policy 3 – Reverse Sensitivity	<p>The submitter suggests the explanation should be reworded as there are many more circumstances where infrastructure other than electricity transmission can be affected by reverse sensitivity effects.</p> <p>The submitter also suggests that there needs to be an additional <b>Policy 3a Management of effects on infrastructure</b> which recognises that infrastructure should be protected from incompatible subdivision, land use and development which can affect the efficiency, functionality and safety of the infrastructure.</p>	<p>Retain Policy 3 but reword the explanation as follows:</p> <p>“When managing existing infrastructure activities, the Council should take into account the benefits of the existing infrastructure and the constraints imposed by the technical and operational requirements of infrastructure.”</p> <p>AND</p> <p>Insert an additional policy be added as follows:</p> <p><b>“Policy 3a Management of effects on</b></p>

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			<p><b>infrastructure:</b> Protect infrastructure from incompatible subdivision, land use and development.</p> <p><b>Explanation:</b> To ensure the ongoing operation, maintenance and upgrading of infrastructure, the presence and function of the infrastructure should be recognised and careful consideration should be given to subdivision, land use and development where it is to be located in the vicinity of existing or proposed infrastructure."</p>
<b>79.11 KiwiRail Holdings Ltd</b>	Policy 3 – Reverse Sensitivity	Support. The submitter considers the protection of significant transportation infrastructure is important	Retain Policy 3
<b>88.72 Federated Farmers</b>	Policy 3 – Reverse Sensitivity	Oppose in part. The submitter states that the National Policy Statement for Electricity Transmission remains under the overarching framework of the Resource Management Act 1991, which does not provide a preference or hierarchy of industries, or prioritise certain activities over others, but rather seeks to balance effects and achieve sustainable management. Further, the submitter notes that the Resource Management Act does not require Councils to simply repeat provisions within the NPS, and considers it sufficient that Council acknowledge the NPS and the intent to give effect to this by including include a policy that the buffer zones sought are a matter of negotiation between the transmission line owner and the landowner.	Retain the proposed policy as worded to give effect to policy 10 of the National Policy Statement on Electricity Transmission. However, the submitter believes Council needs to apply greater consideration to the imposition of transmission lines on legitimate land uses, and the impacts of restrictions imposed on private land users through draft Rules 3.9.4 to 3.9.8 of the proposed District Plan.
<b>91.9 PowerNet Ltd</b>	Policy 3 – Reverse Sensitivity	Support. The submitter considers it appropriate to recognise that infrastructure should be suitably protected from incompatible land uses and activities.	Retain.
<b>104.8 Invercargill Airport Ltd</b>	Policy 3 – Reverse Sensitivity	Support. The submitter considers it appropriate to recognise that infrastructure should be protected from incompatible land uses and activities	Retain
<b>18.51 Environment Southland</b>	Policy 4 - Natural Hazards	Support.	Retain

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<b>24.29 South Port NZ Ltd</b>	Policy 4 - Natural Hazards	Support in part. The submitter agrees that it is appropriate to avoid or mitigate the effects of natural hazards and climate change on infrastructure, however it is noted that in some circumstances it is not practicable to completely eliminate all risk, particularly with respect to existing infrastructure. Given this, this policy should seek to reduce the more significant adverse effects arising from natural hazards and climate change rather than all possible effects.	Amend the policy to read: <u>“To adopt appropriate risk management strategies to protect essential infrastructure from the adverse effects of natural hazards and climate change.”</u>
<b>65.25 ICC Environmental and Planning Services</b>	Policy 4 – Natural Hazards	Support in part. The submitter notes that the policy and the methods are inconsistent and that the policy should be reworded to “encourage” that these issues are factored into infrastructure planning processes.	Reword Policy 4 to ensure that climate change and natural hazards are considered as part of the infrastructure planning process. “To consider the avoidance or mitigation of the effects of natural hazards and climate change on infrastructure”
<b>77.27 Te Runaka o Waihopai and Te Runaka o Awarua</b>	Policy 4 - Natural Hazards	Support	Retain
<b>87.20 Transpower NZ Ltd</b>	Policy 4 - Natural Hazards	Support. The submitter notes a minor grammatical amendment as the policy should refer to ‘hazards’ not ‘hazard’.	(i) Amend Policy 4 Natural hazards as follows: “To avoid or mitigate the effects of natural hazards and climate change on infrastructure.” (ii) And any consequential amendments.
<b>102.4 Chorus NZ Ltd</b>	Policy 4 - Natural Hazards	Support in part. The policy is supported, however the submitter believes that the focus should be on design rather than location	Amend Policy 4 Explanation as follows:  “New infrastructure and upgrades to existing infrastructure should be located <u>or designed</u> to avoid, or <del>designed to</del> mitigate, known natural hazard risks and climate change effects. <del>Planning, where possible, should consider the placement of infrastructure to avoid natural hazards, because of the need for essential services to be as robust as they can be in the face of the uncertainties created by climate change.</del> ”
<b>104.4 Telecom NZ</b>	Policy 4 Natural	Support in part. The policy is supported, however the submitter believes	Amend Policy 4 Explanation as follows:

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Ltd	Hazards	that the focus should be on design rather than location	“New infrastructure and upgrades to existing infrastructure should be located <u>or designed</u> to avoid, or <del>designed</del> to mitigate, known natural hazard risks and climate change effects. <del>Planning, where possible, should consider the placement of infrastructure to avoid natural hazards, because of the need for essential services to be as robust as they can be in the face of the uncertainties created by climate change.</del> ”
103.9 Invercargill Airport Ltd	Policy 4 - Natural Hazards	Support in part. The submitter considers that it may not always be practical to completely avoid all risk, particularly in respect to existing infrastructure. The submitter states that the policy should seek to reduce the more significant effects rather than all of the effects	Amend Policy 4 to seek to avoid or mitigate the significant adverse effects associated with natural hazards
24.30 South Port NZ Ltd	Policy 5 - Functional Need	Support. The submitter considers it appropriate to recognise that infrastructure can have functional, technical or operational requirements which therefore result in location constraints.	Retain.
52.4 NZ Police	Policy 5 - Functional Need	Support.	Retain Policy 5.
53.14 NZ Transport Agency	Policy 5 - Functional Need	Support	Retain Policy 5 as proposed.
79.12 KiwiRail Holdings Ltd	Policy 5 - Functional Need	Support. The submitter considers the protection of significant transportation infrastructure is important	Retain Policy 5
87.21 Transpower NZ Ltd	Policy 5 - Functional Need	Support in part. The submitter considers that there needs to be a balance within the policy to reflect the contribution that infrastructure makes to community wellbeing, and that the term ‘functional need’ be replaced with ‘technical and/or operational requirement’ to reflect the wording used in Policy 3 of the NPSET.	(i) Amend Policy 5 as follows: <b>Policy 5 Functional—need <u>Technical and Operation Requirements:</u></b> To recognise that infrastructure can have a <del>functional</del> , technical or operational need for a particular location <u>and to consider the contribution infrastructure makes to the functioning and wellbeing of communities, when assessing its location, design and appearance.</u> (ii) And any consequential amendments.



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91.10 PowerNet Ltd	Policy 5 Functional Need	Support. The submitter considers it appropriate to recognise that infrastructure can have functional, technical or operational requirements which therefore result in location constraints.	Retain.
102.5 Chorus NZ Ltd	Policy 5 Functional Need	Support as the policy recognises the operational needs of telecommunication and radiocommunication infrastructure.	Retain
103.10 Invercargill Airport Ltd	Policy 5 Functional Need	Support. The submitter considers it appropriate to recognise that infrastructure can have functional, technical or operational requirements which therefore result in location constraints	Retain.
104.5 Telecom NZ Ltd	Policy 5 Functional Need	Support as the policy recognises the operational needs of telecommunication and radiocommunication infrastructure.	Retain
102.6 Chorus NZ Ltd	Policy 5a	Oppose. There is a functional need for telecommunications and radiocommunications to locate near residential areas. The telecommunications NES deals with radiofrequency emissions. Also the submitter believes that policy 5 and Policy 5a are inconsistent	Delete Policy 5a
104.6 Telecom NZ Ltd	Policy 5a	Oppose. There is a functional need for telecommunications and radiocommunications to locate near residential areas. The telecommunications NES deals with radiofrequency emissions. Also the submitter believes that policy 5 and Policy 5a are inconsistent	Delete Policy 5a
Transpower NZ Ltd 87.22	Policy 6 Undergrounding	Support.	Retain Policy 6 as notified.
91.11 PowerNet Ltd	Policy 6 Undergrounding	Support in part. The submitter notes that it is not always economically viable or technically feasible to place network utility infrastructure underground	Retain Policy 6
102.7 Chorus NZ Ltd	Policy 6 Undergrounding and Policy 7 Co- location	<p>The submitter questions the use of “to require” as being too onerous and inconsistent with the rules for overhead lines in some zones. They also believe it is unreasonable to expect undergrounding where overhead support structures exist.</p> <p>The submitter disagrees with the suggestions that network utilities can “significantly” affect the landscape and local amenity.</p> <p>The submitter supports Policy 7, but raises concerns that the definition of</p>	<p>Amend Policies 6 and 7 as follows:</p> <p><b>“Policy 6 Undergrounding</b> To <del>require</del> <u>encourage</u> the underground placement of network utilities <u>in areas where existing networks are underground and</u> where this is economically viable and technically feasible.</p> <p><b>Policy 7 Co-location:</b> To encourage the use of utility corridors, co-location or sharing of facilities</p>

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		<p>“upgrading” does not allow for new lines on existing structures for other purposes.</p>	<p>where this is feasible and practical.</p> <p><b>Explanation:</b> <del>Network utilities can significantly affect the landscape and local amenity values and therefore should be located and managed in a manner that avoids, remedies or mitigates their impact on the environment.</del> Undergrounding, utility corridors, co-location and sharing of facilities are all methods that can minimise the visual effects of network utilities, and should, wherever practicable <u>and economic</u>, be encouraged when planning new infrastructure.”</p>
<p><b>104.7 Telecom NZ Ltd</b></p>	<p>Policy 6 Undergrounding and Policy 7 Co-location</p>	<p>The submitter questions the use of “to require” as being too onerous and inconsistent with the rules for overhead lines in some zones. They also believe it is unreasonable to expect undergrounding where overhead support structures exist.</p> <p>The submitter disagrees with the suggestions that network utilities can “significantly” affect the landscape and local amenity.</p> <p>The submitter supports Policy 7, but raises concerns that the definition of “upgrading” does not allow for new lines on existing structures for other purposes.</p>	<p>Amend Policies 6 and 7 as follows:</p> <p><b>“Policy 6 Undergrounding</b> To <del>require</del> <u>encourage</u> the underground placement of network utilities <u>in areas where existing networks are underground and</u> where this is economically viable and technically feasible.</p> <p><b>Policy 7 Co-location:</b> To encourage the use of utility corridors, co-location or sharing of facilities where this is feasible and practical.</p> <p><b>Explanation:</b> <del>Network utilities can significantly affect the landscape and local amenity values and therefore should be located and managed in a manner that avoids, remedies or mitigates their impact on the environment.</del> Undergrounding, utility corridors, co-location and sharing of facilities are all methods that can minimise the visual effects of network utilities, and should, wherever practicable <u>and economic</u>, be encouraged when planning new infrastructure.”</p>
<p><b>87.23 Transpower</b></p>	<p>Policy 7 – Co-</p>	<p>The submitter supports the co-location of infrastructure provided there are</p>	<p>That Policy 7 be retained as notified</p>

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NZ Ltd	location	no adverse effects on the operation, maintenance, upgrading and development of the National Grid i.e. where it is feasible and practical.	
53.14 NZ Transport Agency	Policies 8 – 14	The submitter opposes the doubling up of the existing policy guidance that applies to electricity transmission activities. The NPS on Electricity Transmission provides guidance, and suggests that local authorities consider infrastructure specific policy responses at the time of District plan review. The inclusion of specific policies to enable electricity transmission has the effect of providing primacy for this activity in the Plan. The does not represent an appropriate use of resources. The submitter considers that this section should be reconsidered by the Council.	Delete and rework Policies 8-14 to provide for a more equitable recognition of infrastructural assets.
87.24 Transpower NZ Ltd	Policy 9 – Benefits	Support in part. The submitter seeks that the wording of Policy 9 be amended to specifically refer to the contribution that the National Grid makes to the functioning and well-being of the community, which is an important point reflected in the explanation.	(i) Amend Policy 9 as follows: <u>“To recognise the national, regional and local benefits of a sustainable, secure and efficient National Grid that contributes to the functioning and well-being of the local, regional and national communities, including: ...”</u> (ii) And any consequential amendments.
87.25 Transpower NZ Ltd	Policy 11 – Existing Effects	Support in part. The submitter considers the words ‘whether there is opportunity to’ should be included to ensure that the policy is guiding rather than directive. The submitter also considers that it is inappropriate to only consider effects on ‘noise sensitive activities’ as noise is not the only issue and could potentially include too many activities.	(i) That Policy 11 is amended as follows: <b>“Policy 11 Existing Effects</b> To consider <u>whether there is opportunity to reduce</u> existing adverse effects of National Grid infrastructure, including such effects on <del>noise</del> <u>National Grid</u> sensitive activities where appropriate, when substantial upgrades of transmission infrastructure are taking place. “ (ii) And any consequential amendments.
87.26 Transpower NZ Ltd	Policy 11 – Existing Effects (Explanation)	Support in part. The submitter considers the explanation should be changed to ensure it reflects the policy, in that such consideration will only occur when ‘substantial’ upgrading is being undertaken.	(i) That the Explanation to Policy 11 be amended as follows. <b>“Policy 11 Explanation</b> Works to <u>substantially</u> upgrade <del>transmission</del> <u>National Grid</u> infrastructure may provide the

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			<p>opportunity for reducing existing adverse effects created by the infrastructure. Transpower NZ Limited should be encouraged to consider such reductions when planning <u>substantial</u> infrastructure upgrades.”</p> <p>(ii) And any consequential amendments.</p>
87.27 Transpower NZ Ltd	Policy 12 – Urban	Support in part. The submitter considers that Policy 12 as notified is more directive and requiring in its wording, which is not the intent of the NPSET, and that it is inappropriate to only consider effects on ‘noise sensitive activities’ as noise is not the only issue and could potentially include too many activities.	<p>(i) Amend Policy 12 as follows.            “To <u>seek to</u> minimise adverse effects on urban amenity and avoid adverse effects on town centres and areas of high recreation value or amenity and existing <del>noise</del> <u>National Grid</u> sensitive activities when planning and developing the <u>National Grid network electricity transmission system</u>. “</p> <p>(ii) And any consequential amendments.</p>
87.28 Transpower NZ Ltd	Policy 12 – Urban (Explanation)	Support in part. The submitter seeks to amend the explanation to Policy 12 to reflect the intent of Policy 7 of the NPSET, which seeks to minimise adverse effects on urban amenity and avoid adverse effects on town centres, and that it is inappropriate to only consider effects on ‘noise sensitive activities’ as noise is not the only issue and could potentially include too many activities.	<p>(i) That the Explanation to Policy 12 be amended as follows.            “The urban environment contains high amenity areas and a high density of <del>noise</del> <u>National Grid</u> sensitive activities. The planning and development of the National Grid network should ensure that any adverse effects on these areas are <u>avoided or</u> minimised.”</p> <p>(ii) And any consequential amendments.</p>
87.29 Transpower NZ Ltd	Policy 13 – Rural	Oppose in part. The submitter considers that the policy is more directive than Policy 8 of the MPSET and should therefore be amended to reflect the intent of Policy 8. Further, the submitter considers it is inappropriate to only consider effects on ‘noise sensitive activities’ as noise is not the only issue and could potentially include too many activities.	<p>(i) Amend Policy 13 Rural as follows:            To <u>seek to avoid, remedy and mitigate</u> adverse effects on outstanding natural landscapes, areas of high natural character and existing <del>noise</del> <u>National Grid</u> sensitive activities in rural environments when planning and developing the National Grid.</p> <p>(ii) And any consequential amendments.</p>
87.30 Transpower	Policy 13 –	Oppose in part. The submitter seeks that the Explanation for Policy 13	(i) Amend the Explanation as follows:

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NZ Ltd	Rural (Explanation)	reflects the changes sought to Policy 13.	<p>“Throughout the rural area, there are areas that are significant because of their landscapes or high natural character. The rural environment also contains various existing noise <u>National Grid</u> sensitive activities, including residential activity and educational activity. The planning and development of the National Grid should <u>seek to</u> ensure that <del>these areas are protected from</del> adverse effects <u>on these areas are avoided where practicable</u>”.</p> <p>(ii) And any consequential amendments.</p>
87.31 Transpower NZ Ltd	Policy 14 - Relevant Standards	Support in part. The submitter considers that the revisions to the IGNRIP guidelines should be referenced even though the NPSET has not been updated, given that the Ministry of Health recognises the 2010 revision.	<p>(i) Amend Policy 14 as follows</p> <p><b>“Policy 14 Relevant Standards:</b> To refer to the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time varying electric magnetic fields (1 Hz - 100 kHz). <u>Health Physics 99(6):818-836; 2010 (up to 300 GHz) (Health Physics, 1998, 74(4): 494-522)</u> and recommendations from the World Health Organisation monograph Environment Health Criteria (No 238, June 2007) or revisions thereof and any applicable New Zealand standards or national environmental standards when dealing with and assessing electric and magnetic fields associated with the electricity transmission network.”</p> <p>(ii) And any consequential amendments.</p>
91.12 PowerNet Ltd	Policy 14 - Relevant Standards	Support. The submitter considers it appropriate that industry standards are used to assess the potential effects of electric and magnetic fields associated with the activity	Retain Policy 14
87.19 Transpower NZ Ltd	New Policy	The submitter believes the policies do not provide for the identification of Transpower’s existing assets through the recognition of infrastructure	<p>(i) Add a new policy:  <b>“Policy 3A Management of Activities around</b></p>

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		<p>corridors, nor do they reflect the corridor management approach proposed by Transpower for managing the risks posed by development near the National Grid.</p> <p>The submitter suggests the addition of a policy consistent with Policies 10 and 11 of the NPSET and that requires that inappropriate development immediately adjacent to the transmission lines should be avoided through the provision of a buffer corridor where sensitive activities will generally not be provided for and that the operation, maintenance, upgrading, and development of the National Grid is not compromised.</p>	<p><b><u>the National Grid</u></b>  <u>To manage the effects of subdivision, development and land use on the safe, effective and efficient operation, maintenance, upgrading and development of the National Grid by ensuring that:</u></p> <ol style="list-style-type: none"> <li>a. <u>National Grid Yards and National Grid Corridors are identified in the Plan to establish safe buffer distances for managing subdivision and land use development near National Grid lines including support structures;</u></li> <li>b. <u>Sensitive activities and large-scale structures are excluded from establishing within National Grid Yards;</u></li> <li>c. <u>Subdivision is managed within National Grid Corridors to avoid subsequent land use from restricting the operation, maintenance, upgrading and development of the National Grid; and</u></li> <li>d. <u>Changes to existing activities within a National Grid Corridor or National Grid Yard do not further restrict the operation, maintenance, upgrading and development of the National Grid."</u></li> </ol> <p>(ii) And any consequential amendments.</p>
<b>SECTION 3.9 - RULES</b>			
<b>69.12 ICC Roading Manager</b>	General	The submitter considers that it is appropriate to include a rule that requires infrastructure that is to be vested with Council meets the ICC Bylaw 2013/1	Include a rule that requires all infrastructure which is built but intended to be vested in Council ownership be designed and constructed to meet the requirements of Bylaw 2013/1 Code of Practice for Land Development and Subdivision Infrastructure.
<b>87.47 Transpower NZ Ltd</b>	Various Provisions	Support.	That Rules 3.9.1, 3.9.2 and 3.9.9 to 3.9.17 are retained as notified.

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	3.9.1, 3.9.2, 3.9.9 – 3.9.17		
<b>18.94 Environment Southland</b>	3.9.1	The submitter suggests that the Rule statement as it stands “Except as provided for in Rules 3.9.2 to 3.9.24 below is a permitted activity” is not correct because Rules 3.9.2, 3.9.9, 3.9.10 and 3.9.18 are permitted activities	Delete the rule or delete reference to Rule 3.9.2 and other permitted activity rules in Rule 3.9.
<b>52.8 NZ Police</b>	3.9.1	Oppose in part. The submitter notes that the rule does not state that the infrastructure rules take precedence over any other zone rules and are the only rules that apply. The submitter would prefer that all rules for radiocommunication structures and associated equipment be included in the infrastructure section.  The submitter also opposes the note that refers to Bylaw 2013/1 which has not yet been developed for consultation. The submitter explains the Code of Practice for Land Development and Subdivision Infrastructure has to be purchased from Standards NZ so creates uncertainty for Plan users as to whether it is relevant or not.	Amend Rule 3.9.1 to state that the rules in Section 3.9 are the only rules relevant for infrastructure and take precedence over any other zone rules unless specifically stated. Delete the note which refers to ICC Bylaw 2013/1.
<b>53.70 NZ Transport Agency</b>	3.9.1	Support. The submitter notes that authorisation for any works within the State highway road reserve is required (as identified in our earlier submission point) and suggests that, given the inclusion of the note referring to the Council’s Bylaw/Code of Practice, it is logical that a similar reference should be made to the provisions of the Government Roding Powers Act 1989.	Retain Rule 3.9.1 as proposed.  Add a note to rule 3.9.1 as follows: “Note: Under section 51 of the Government Roding Powers Act 1989, works on State highways cannot be undertaken without the written permission of the NZ Transport Agency.”
<b>102.12 Chorus NZ Ltd</b>	3.9.1	Oppose in part.  The submitter believes there need to be a statement that the infrastructure rules take precedence over Zone specific rules, with a preference for all rules relating to telecommunication and radiocommunication structures attached to buildings located in the Infrastructure section.  The submitter also opposes the inclusion of reference to the ICC Bylaw 2013/1 on the basis that it is still in draft format	Amend 3.9.1 by  a. including the following: <u>“...and for the avoidance of doubt, the rules in Section 3.9 are the only rules relevant to infrastructure and take precedence over any other rules unless specifically stated.”</u>  b. Deleting the Note

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<b>104.12 Telecom NZ Ltd</b>	3.9.1	<p>Oppose in part.</p> <p>The submitter believes there need to be a statement that the infrastructure rules take precedence over Zone specific rules, with a preference for all rules relating to telecommunication and radiocommunication structures attached to buildings located in the Infrastructure section.</p> <p>The submitter also opposes the inclusion of reference to the ICC Bylaw 2013/1 on the basis that it is still in draft format</p>	<p>Amend 3.9.1 by</p> <p>a. including the following:  <u>“...and for the avoidance of doubt, the rules in Section 3.9 are the only rules relevant to infrastructure and take precedence over any other rules unless specifically stated.”</u></p> <p>b. Deleting the Note</p>
<b>52.9 NZ Police</b>	3.9.2	<p>Support. The submitter considers the operations, maintenance, upgrading and replacement of existing infrastructure is essential to provide a robust and secure radiocommunications network for the Police, Fire and Ambulance services.</p>	Retain.
<b>69.10 ICC Roading Manager</b>	3.9.2	<p>The submitter notes that this rule could be interpreted to mean that any actions associated with infrastructure does not have to comply with rules relating to noise, lightspill, or soils, minerals and earthworks. While some organisations may act reasonably and fairly within the community, the submitter notes that this may not always be the case for other utility operators.</p>	No remedy specified
<b>91.18 PowerNet Ltd</b>	3.9.2	<p>Support in part. The submitter supports this provision, but notes that Rule 3.17.2 introduces standards that appear to contradict 3.9.2. The submitter considers this is ambiguous and the relationship between the two rules needs to be clarified</p>	<p>Clarify the relationship between 3.9.2 and 3.17.2</p> <p>Introduce a “complete code” approach to rules applicable to infrastructure activities and remove any ambiguity associated with references to other rules in the plan.</p>
<b>102.13 Chorus NZ Ltd</b>	3.9.2	<p>Support.</p> <p>The submitter states that the operation, maintenance and upgrading and replacement of existing infrastructure should not subject to unnecessary controls</p>	Retain
<b>104.13 Telecom</b>	3.9.2	Support.	Retain



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NZ Ltd		The submitter states that the operation, maintenance and upgrading and replacement of existing infrastructure should not subject to unnecessary controls	
53.71 NZ Transport Agency	3.9.3	Support	Retain Rule 3.9.3 as proposed.
65.92 ICC Environmental and Planning Services	3.9.3	Support in part. The submitter considers that the rule, as written, would have the unintended consequence of forcing the Council to go through a resource consent process every time they wish to extend their own reticulated services.	Amend 3.9.3 as follows: <u>“Any extension to the Council’s reticulated services existing as at 30 July 2013 and shown in Appendix XI, by anyone other than the Invercargill City Council, is a non-complying activity within the Rural 1, Rural 2, Otatara, Industrial 3 and Industrial 4 zones.”</u>
69.11 ICC Roading Manger	3.9.3	Support in part. The submitter considers the rule should be modified to enable extensions of infrastructure by Council	Amend 3.9.3 to enable extensions of services by Council
91.19 PowerNet Ltd	3.9.4	Oppose. The submitter seeks an exemption from complying with the setback limits for electricity distribution assets which are required for the successful operation of the electricity system within the city.	Amend 3.9.4 by inserting an exemption for electricity distribution apparatus which by its nature is required to be located within 32 metres of the centreline of any National Grid electricity transmission line.  <u>“Network Utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid is exempt from Rule 3.9.4.”</u>
87.48 Transpower NZ Ltd	3.9.4 – 3.9.7	Oppose. The submitter explains that there are operational, health and safety and reverse sensitivity risks associated with inappropriately sited buildings and earthworks. The submitter suggests rules that reflect their refined approach to corridor management, by introducing a ‘National Grid Yard’ calculated based on risks from development for the different size transmission lines, and allowing appropriate land use activities and managing inappropriate land use activities within this yard.	Delete Rule 3.9.4, 3.9.5, 3.9.6 and 3.9.7 from 3.9 Infrastructure and replace with the following provisions: <b>Rule 3.9.4 Buildings and Structures within a National Grid Yard</b> <u>(a)On all sites within any part of the National Grid Yard the following buildings and structures are a permitted activity:</u> <u>(i) If they are for an existing National Grid sensitive activity and do not involve an</u>

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			<p><u>increase in the building height or footprint where alterations and additions to existing buildings occur; or</u></p> <p><u>(ii) A fence; or</u></p> <p><u>(iii) A network utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid; or</u></p> <p><u>(iv) An uninhabitable farm building or structure for farming activities (but not a milking/dairy shed, or intensive farming buildings (excluding ancillary structures)); or</u></p> <p><u>(v) An uninhabited horticultural building or structure; or</u></p> <p><u>(vi) Any public sign required by law or provided by any statutory body in accordance with its powers under any law.</u></p> <p><u>(b) All buildings or structures permitted by a) must comply with at least one of the following conditions:</u></p> <p><u>(i) A minimum vertical clearance of 10m below the lowest point of the conductor associated with National Grid lines; or</u></p> <p><u>(ii) Demonstrate that safe electrical clearance distances are maintained under all National Grid line operating conditions.</u></p> <p><u>(c) All buildings or structures permitted by a) above shall be located at least 12m from a National Grid support structure unless it is a:</u></p> <p><u>(i) Network Utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid.</u></p> <p><u>(ii) Fence less than 2.5m in height and more than</u></p>

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			<p><u>5m from the nearest support structure.</u></p> <p><u>(iii) Horticultural structure between 8m and 12m from a pole support structure that:</u></p> <p><u>i. Meets the requirements of the New Zealand Electrical Code Of Practice for Electrical Safe Distances for separation distances from the conductor (NZECP34:2001);</u></p> <p><u>ii. Is no more than 2.5m high;</u></p> <p><u>iii. Is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and</u></p> <p><u>iv. Allow all weather access to the pole and a sufficient area for maintenance equipment, including a crane.</u></p> <p><u>Rule 3.9.5</u>  <u>The following buildings and structures are a non-complying activity within the National Grid Yard:</u></p> <p><u>(a) Any building or addition to a building for a sensitive activity.</u></p> <p><u>(b) Any change of use to a sensitive activity or the establishment of a new sensitive activity.</u></p> <p><u>(c) Intensive farm buildings and dairy/milking sheds or buildings excluding associated ancillary structures.</u></p> <p><u>(d) Any building or structure not permitted by Rule 3.9.4</u></p> <p><u>Rule 3.9.6</u>  <u>Earthworks within the National Grid yard are a permitted activity provided that:</u></p> <p><u>a) within a distance measured 12 metres from the</u></p>

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			<p><u>outer visible edge of any National Grid support structure, any earthworks shall not exceed a depth (measured vertically) of 300mm; and</u></p> <p>b) <u>any earthworks shall not create an unstable batter that will affect a National Grid support structure; and</u></p> <p>c) <u>any earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34: 2001</u></p> <p><u>The following activities are exempt from Rule 3.9.6 a) above:</u></p> <p><u>(A) Earthworks undertaken in the course of constructing or maintaining infrastructure</u></p> <p><u>(B) Normal agricultural activities or domestic gardening.</u></p> <p><u>(C) Repair, sealing resealing of an existing road, footpath, farm track or driveway.</u></p> <p><u>Rule 3.9.7</u>  <u>Any earthworks that do not comply with rule 3.9.6 a) shall be a restricted discretionary activity.</u></p> <p><u>The matters over which the Council will exercise its discretion are:</u></p> <ul style="list-style-type: none"> <li>• <u>Any effects on the integrity of the transmission line;</u></li> <li>• <u>Volume, area and location of the works, including temporary activities such as stockpiles;</u></li> <li>• <u>Time of the works;</u></li> <li>• <u>Site remediation;</u></li> <li>• <u>The use of mobile machinery near transmission line which may put the line at risk;</u></li> </ul>

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			<ul style="list-style-type: none"> <li>• <u>Compliance with NZECP 34:2001; and</u></li> <li>• <u>Outcomes of any consultation with Transpower New Zealand Limited.</u></li> </ul> <p><u>Rule 3.9.7a</u>  <u>Any earthworks that do not comply with rule 3.9.6 b) or rule 3.9.6 c) shall be a non-complying activity</u></p> <p><u>Note: Vegetation to be planted within the transmission corridor should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</u></p> <p><u>Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34: 2001) contains restrictions on the location of structures and activities in relation to the lines. Compliance with the permitted activity standards of the Plan does not ensure compliance with the Code of Practice.</u></p> <p>(ii) And any consequential amendments</p>
<b>88.83 Federated Farmers</b>	Rules 3.9.4 – 3.9.8	<p>Oppose in part. The submitter is concerned that there is no significant discussion in the draft plan on the significant costs imposed on landowners as a result of the proposed Rules 3.9.4, 3.9.5, 3.9.6, 3.9.7 and 3.9.8 and that the restrictions proposed significantly exceed the safety distances referenced within the New Zealand Code of Practice for Electrical Safe Distances (NZECP), and therefore significantly impose further costs and restrictions upon land users housing transmission assets on their properties, while adding little or nothing to the protections afforded the transmission lines.</p> <p>The submitter considers the rules to be complex and the most effective approach would be to simply refer to the NZECP.</p>	<ul style="list-style-type: none"> <li>• Delete proposed rules 3.9.4, 3.9.5, 3.9.6, 3.9.7 and 3.9.8.</li> <li>• Develop a new rule, noting that all buildings, structures and earthworks need to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).</li> <li>• Develop a new rule or rules (including if necessary specific Zone rules to reflect relative risk) specifying appropriate setbacks for and only for 'sensitive activities'; schools, houses, hospitals and buildings where people live.</li> </ul>

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		The submitter considers that it would be appropriate for Council to specifically regulate 'sensitive activities' (and only these activities) in the District Plan, but for non-sensitive activities they consider it is sufficient for Council to note that all buildings, structures and earthworks need to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZCEP 34:2001).	
<b>91.20 PowerNet Ltd</b>	3.9.5 and 3.9.6	Support in part. The submitter supports these provisions but notes that there is no definition for "utilities" in the Plan.	Retain the exemption in Rule 3.9.6(a) relating to earthworks associated with the construction or maintenance of utilities.  Amend Plan to either include a definition of "utilities" or amend Rule 3.9.6 to refer to "Infrastructure".
<b>91.21 PowerNet Ltd</b>	3.9.7	Oppose. The submitter seeks an exemption from complying with the setback limits for electricity distribution assets which are required for the successful operation of the electricity system within the city.	Provide an exemption for electricity distribution apparatus which by its nature is required to be located within 12 metres of the centreline of any National Grid electricity transmission line as follows:  <u>Network Utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid is exempt from Rule 3.9.7</u>
<b>91.22 PowerNet Ltd</b>	3.9.10	Oppose. The submitter considers it unduly restrictive not to provide for above ground network utilities as a permitted activity in the Residential 1, 1A, 2, and 3, Business 1,2,3 and 4, Industrial 1, 1A, and 2, Otatara and Hospital Zones,  The submitter considers it is not always possible, or practical, to locate apparatus underground.  In areas where existing overhead reticulation is already available, the submitter considers that it is essential to be able to provide new overhead lines to adjacent properties. The effects of such works are considered to be minor as the character, intensity and scale of the activities are similar.	Amend Rule 3.9.10 as follows:  3.9.10 It is a permitted activity to erect new electricity lines up to (and including) 110kV in all Zones of the district, subject to the following standards:  (A) Other than where existing support structures are used, new lines <u>within proposed residential subdivisions</u> are to be located underground <u>where practical and technically feasible</u> in the Residential 1, 1A, 2 and 3, <del>Business 1, 2, 3 and 4, Industrial 1, 1A and 2,</del> Otatara and Hospital Zones.

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			<p>(B) Any lines crossing a navigable water body are located more than 10 metres above the level of the water body.</p> <p>Or: Any Similar amendments with like effect. Any consequential amendments to the Proposed Plan that stem from the relief sought.</p>
<b>91.23 PowerNet Ltd</b>	Rule 3.9.15	Support. The submitter considers it appropriate that substations are permitted activities in the Rural 1 and 2, Seaport, Industrial 2, 3 and 4, and Smelter Zones with limits apply to bulk and scale in other zones	Retain Rule 3.9.15
<b>65.93 ICC Environmental and Planning Services</b>	Rule 3.9.15 – 3.9.17	Support subject to amendment. The submitter considers that the rule could be read as saying that the restrictions on size of electricity substations apply to the Rural 1 and 2, Seaport, Industrial 2, 3 and 4 and Smelter Zones. Instead, the restrictions on size apply in the other zones	Amend 3.9.15(A) <u>“No ground mounted structure shall exceed six square metres in area, or two metres in height, except in the Rural 1 and 2, Seaport, Industrial 2, 3 and 4 and Smelter Zones”</u>
<b>23.2 Airways Corporation of NZ</b>	Rule 3.9.21	The submitter considers that on the basis of the proposed wording of Rules 3.9.21 – 3.9.23, the electronic sending and receiving of telecommunications by the submitter (including phone calls) outside of the zones listed in 3.9.21 could be interpreted as requiring resource consent.	<p>Rule 3.9.21 is modified as follows:</p> <p>“Telecommunication Facilities and associated structures, including <del>(but limited to)</del> telecommunications facilities <u>are</u> a permitted activity where they are it is to be located in the Airport Operations, Industrial 2, 3 and 4, Seaport and Smelter Zones, or where the facility is permitted designed, built and operated in accordance with the Resource management (National Environmental Standards for Telecommunications Facilities) regulations 2008 (Refer to Appendix XIII).”</p>
<b>65.94 ICC Environmental and Planning Services</b>	Rule 3.9.21 - 24	Support in part. The submitter considers that Rule 3.9.21 – 3.9.24 address concerns raised about mobile phone towers and larger telecommunications facilities, particularly any proposal to locate one of these facilities in a residential neighbourhood. Rule 3.9.21 needs to be limited to telecommunications facilities operated by network operators because that is what is covered by the NES.	<p>Amend 3.9.21 – 3.9.24 or include an additional rule to address residential scale telecommunications and radiocommunications facilities.</p> <p>Reword 3.9.21 “...Including (but <u>not</u> limited to) telecommunications</p>

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<b>102.14 Chorus NZ Ltd</b>	Rules 3.9.18 – 3.9.20	Oppose in part. The submitter considers these provisions should be amended to cover communication lines, and ancillary equipment to the lines. The submitter considers that provisions for communication lines and support structures should be consistent with those provisions for electricity lines	facilities...” Amend Rule 3.9.18 to include the same exception for communication lines and ancillary equipment as permitted activities.  Amend 3.9.19 to change the activity status to restricted discretionary.  Delete Rule 3.9.20
<b>52.10 NZ Police</b>	Rules 3.9.21 – 24	Oppose. The submitter believes the rules should also refer to radiocommunication facilities and not just telecommunication facilities. The submitter considers the rules do not provide for the function need recognised by Policy 5 of Section 2.9, and do not appear to be effects based.	Amend Rules 3.9.12 – 24 to also refer to radiocommunication facilities and provide height limits for standalone masts and attached antennas for all zones. Permitted height limits should be 25m for Industrial and Rural Zones, 20m for Commercial Zones and 10m for Residential Zones. Include provision for antennas for radiocommunications attached to existing buildings as a permitted activity to a height 5m above the existing building height in the Industrial and Rural Zones and 3.5m above the existing building height in all other zones. Facilities that don't comply with the rules in the Plan should be restricted discretionary activities with the Council discretion restricted to the matter which is not complied with,
<b>102.15 Chorus NZ Ltd</b>	Rules 3.9.21 - 23	The submitter opposes these provisions.  The submitter believes the rule should refer to telecommunication and radiocommunication facilities.  The submitter states that the rule framework does not align with the Proposed Plan policy framework, the telecommunications NES or Part 2 of the RMA.  The submitter believes that the rule framework is not functional, nor	Delete Rule 3.9.21 to 3.9.23.  The submitter proposes a new Rule structure that sets out potential activity statuses for specific telecommunication and radiocommunication facilities and details maximum size and height of structures in different contexts.



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104.14 Telecom NZ Ltd	Rules 3.9.21 - 23	<p>reasonable, nor based on the management of effects.</p> <p>The submitter opposes these provisions.</p> <p>The submitter believes the rule should refer to telecommunication and radiocommunication facilities.</p> <p>The submitter states that the rule framework does not align with the Proposed Plan policy framework, the telecommunications NES or Part 2 of the RMA.</p> <p>The submitter believes that the rule framework is not functional, nor reasonable, nor based on the management of effects.</p>	<p>Delete Rule 3.9.21 to 3.9.23.</p> <p>The submitter proposes a new Rule structure that sets out potential activity statuses for specific telecommunication and radiocommunication facilities and details maximum size and height of structures in different contexts.</p>
115.1 New Zealand Historic Places Trust	3.9.24(D)	<p>The submitter supports these provisions.</p> <p>The submitter notes the Council's obligations under the RMA, in particular s6(f).</p> <p>The submitter notes that in addition to the specific heritage provisions, the consideration of heritage values is embedded throughout the Plan.</p> <p>The submitter considers the approach recognises that not all important heritage values are listed in the District Plan Heritage Record or covered by the heritage rules of the Plan. The submitter believes it is appropriate that the Council has the opportunity to consider effects on heritage values even where such values are not particularly identified for protection in Appendix II.</p>	<p>Adopt these provisions as they relate to heritage values: 3.9.24(D)</p>
87.46 Transpower NZ Ltd	New rule	<p>The submitter seeks to ensure that that the provisions of the Proposed Plan do not apply to transmission lines existing at 14 January 2010 and that provisions of the NESETA apply to these lines.</p>	<p>(i) Include a new rule as follows:  <u>"The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 contains a separate code of rules for the operation, maintenance, upgrading, relocation, or removal of an existing transmission line that is part of the national grid, as defined in the regulation</u></p>

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			<p><u>and existing at 14 January 2010. Except as provided for by the regulation, no rules in this District Plan apply to such activities.</u></p> <p><b>Rule 3.9.1.....”</b>  (ii) And any consequential amendments.</p>