

**Before the Independent Hearings Panel
At Wellington City Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of Hearing submissions and further submissions on the
Proposed Wellington City District Plan –Hearing Stream 9

Right of Reply of Thomas Anderson on behalf of Wellington City Council

Date: 19 July 2024

INTRODUCTION:

- 1 The hearing for Stream 9 of the Proposed District Plan (PDP) was adjourned on 14 June 2024.
- 2 On 18 June 2024, the Panel released their Minute 51, which included matters on which they seek further commentary on as part of the Council Officer's Right of Reply.
- 3 In my role as the appointed Council Officer for the PDP infrastructure provisions, in this right of reply I address the matters raised in Minute 51 relevant to infrastructure, which are my final comments on matters raised during the hearing.
- 4 Under Matter 4(b) of Minute 51, I am directed to address 23 matters. I have structured this right of reply by addressing each of these matters in turn.
- 5 Where I have discussed matters with others involved in the PDP process, I have noted that in my response.
- 6 For completeness, recommended changes that arise to the proposed infrastructure provisions are shown in this report, and the chapters (attached as Appendix A) are shown in purple, with and additions underlined and ~~deletions in strikethrough~~. For completeness, amendments recommended through my Section 42A Report have been retained in red, and amendments recommended in my supplementary evidence have been retained in blue.

QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT

- 7 My [Section 42A Report - Infrastructure - Part 1](#) sets out my qualifications and experience as an expert in planning.

- 8 I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023, as applicable to this Independent Panel hearing.

ADDRESSING MINUTE 51 MATTERS

Matter 4(b)(i):

As discussed, can Mr Anderson's revised version of this chapter please be in the same font as the balance of the PDP.

- 9 I have been informed by Council Officers that font and size are addressed as the chapter is inserted and updated in the isovist software which provides the framework for the E-Plan.

- 10 However, for the purposes of this right of reply, the Infrastructure chapter and sub-chapters which are attached as Appendix A (and show my recommended amendments arising out of this right of reply) have been updated to be in the Helvetica font, size 10, which I am informed is what isovist uses for the E-Plan. I am also informed that the isovist software will ensure a consistent font type and size in the E-Plan at the stage when the revised chapters are uploaded.

Matter 4(b)(ii):

Can Mr Anderson's suggested alternative wording in the final sentence of the first full paragraph on page 2 of the Infrastructure Chapter Introduction be clarified, where currently it refers to activities that are 'inconsistent' with definitions, in order to better capture the intended meaning;

- 11 I have reviewed the wording in the specified paragraph, and in my view the wording can be made more directive by amending the words that currently say "inconsistent with" and replacing them with "does not meet". This, in my view will ensure that the definitions which describe activities are the appropriate basis for application of the infrastructure chapter in the airport and port zones.

12 I consider that this recommended change can be made as a minor amendment in accordance with Clause 16 of Schedule 1 of the RMA. Appendix A has been updated accordingly.

Matter 4(b)(iii):

In relation to the same paragraph of the Introduction, can Mr Anderson please consider the scenario where the objectives and policies in the Infrastructure Chapter overlap and are potentially inconsistent with those of the sub-chapters or the REG Chapter, and whether the Introduction should specifically provide how such situations should be dealt with;

13 In terms of overlap and potential inconsistency with the REG Chapter, I have discussed this with Ms Foster, planner for Meridian Energy Limited, and agree with the amendment provided at Paragraph 2.8 to her supplementary evidence (dated 20 June 2024). This amendment provides, in my opinion, the absolute clarity that the REG Chapter is independent from the Infrastructure chapters, which has been the intention throughout the development of these chapters.

14 The amendment is shown in Appendix A to this right of reply.

15 In terms of a scenario where the objectives and policies in the Infrastructure Chapter overlap and are potentially inconsistent with those of the sub-chapters, I consider that the introduction to the Infrastructure Chapter already specifically provides guidance to resolve any issue of this nature.

16 The sixth paragraph of the introduction, which is immediately below the bullet point list of sub-chapters, states *the provisions of the overlay sub-chapters apply in addition to the provisions of this chapter. In the case of conflict with any provisions of this chapter and a sub-chapter, the provisions of the sub-chapter will prevail.*

17 I consider this to be sufficient in terms of addressing any situation where provisions overlap or are inconsistent.

Matter 4(b)(iv):

Can Mr Anderson please provide his view on the merits of CentrePort's suggested alternative wording to INF-02;

18 INF-02 seeks that *the adverse effects of infrastructure on the environment are managed, while recognising (1) the functional and operational need of infrastructure; and (2) that positive effects of infrastructure may be realised locally, regionally or nationally.*

19 As stated at Paragraph 111 of my Section 42A Report, CentrePort [402.45, 402.46] seek to amend the language of the objective to remove the word "managed" as they consider that it is open to interpretation and is of limited assistance to decision makers. They further consider that the term "functional and operational need" is not in alignment with the terminology of the Proposed Natural Resources Plan that utilises the terms "functional need" and "operational requirements". Their proposed wording is to replace "managed" with "avoided, remedied or mitigated".

20 My Section 42A Report rejected the changes on the basis that I consider the term "manage" is a common RMA term which allows for effects to be avoided, remedied or mitigated in line with general duties under s17 of the RMA, and that the terms "functional need" and "operational need" are defined by the National Planning Standards, and therefore are well understood and should be used in the PDP.

21 I also note that the PDP directs management of effects through other objectives, including objectives that are operative. For reference, these include SCA-O5, REG-O2, NOISE-O1, NOISE-P2, NOISE-P5, SIGNS-P1, SIGNS-P2, TEMP-O2, WIND-O1, GRUZ-O3, NCZ-P3, LCZ-P3, MCZ-P3, CCZ-O7, GIZ-O6, GIZ-P2, NOSZ-O2, OSZ-O2, SARZ-O2, CORZ-O2, HOSZ-O4, PORTZ-O2, QUARZ-O2, STADZ-O4, TERTZ-O4, WFZ-O7 and WTBZ-O2.

22 As such, I am of the view that the merits of CentrePort's submissions on INF-02 have been appropriately addressed, and my opinion in regard to

any necessary amendments to INF-O2 remains the same, being that no changes are necessary.

Matter 4(b)(v):

Query both the scope and merits of referring to navigation 'aids' in INF-P2.1¹, rather than navigation activities;

23 INF-P1.2 states *recognise the benefits of infrastructure by: (2) enabling investigation, monitoring and navigation activities associated with infrastructure operations.*

24 In terms of *navigation activities* or *navigation 'aids'* as raised in the above matter, the activities/aids that I had in mind when drafting the provision were structures and their ongoing use associated with ship and aircraft movements. As such, the key beneficiaries of the provision would be Wellington International Airport, Board of Airline Representatives and CentrePort (and their users).

25 Wellington International Airport Limited, Board of Airline Representatives and CentrePort all submitted on the PDP, with Wellington International Airport Limited (through submission point 406.93) and CentrePort (through submission point 402.49) both submitting in support of INF-P1, and seeking that it be retained. The Board of Airline Representatives did not submit on this provision.

26 There is no definition in the PDP, or any relevant higher order document of a *navigation activity*. The RPS and RMA recognises *a navigation installation as defined in section 2 of the Civil Aviation Act 1990* as part of the definition of infrastructure.

27 In my view, a navigation aid or installation are a navigation activity.

28 In any instance, as Wellington International Airport Limited and CentrePort support the policy, I do not consider there to be a need, nor scope, to amend the wording.

¹ This appears to be a typo in Minute 51 as navigational activities is referred to in INF-P1.2.

Matter 4(b)(vi):

Query whether INF-P2.3 should be reframed to make it clear that upgrades could be to existing infrastructure, and also to make that sub-policy more forward looking;

29 INF-P2 seeks to *enable the efficient coordination, integration and alignment of infrastructure planning and delivery with land use, subdivision, development and urban growth so that existing and future land use and infrastructure is integrated, efficient and aligned.*

30 In my opinion, the policy considers “infrastructure” as a whole, and does not need to specifically state that it applies to both upgrades or delivery of new infrastructure, as this is already provided for. Co-ordinating land use and infrastructure could be upgrades to existing or provision of new infrastructure.

31 However, to ensure that the direction provided by the policy is a constant matter as land uses evolve and change, I consider that there is merit to add the words “on an ongoing basis” to direct that the co-ordination between land use and infrastructure is constantly reviewed. This change is shown in Appendix A, and I consider this can be made as a Clause 16 amendment.

Matter 4(b)(vii):

Query whether there is both scope and merit in amending the Infrastructure Rules and Standards so that substantial upgrades/new underground infrastructure such as a large tunnel are not categorised as permitted activities;

32 Rule INF-R2 (*New underground infrastructure (including customer connections), and upgrading of existing underground infrastructure*) is directed at lines, cables, pipes and ancillary structures relating to lineal infrastructure. When it was drafted there was no contemplation of tunnels, in particular for roads.

33 The ability for a road to use INF-R2 and be a permitted activity is however significantly restricted by the fact that for any underground

infrastructure to be a permitted activity it must meet INF-S3 which limits trenching to 120m of continuous trench length open at one time. I do note that tunnels however can be bored, as well as trenched (such as the cut and cover method I understand was employed for the Arras Tunnel in central Wellington).

34 Placing roads underground can provide for positive environmental effects, but is not always practicable or technically feasible. This is recognised in INF-P4.

35 In any instance, all new roads, regardless of whether they are above or below ground, require resource consent under Rule INF-R23. In terms of earthworks effects, I also note that regional consents would likely be required under the Greater Wellington Natural Resources Plan.

36 For context and direction, I have also reviewed other recent District Plans, including Porirua's and New Plymouth's. Porirua PDP (Appeals Version) Rule INF-R16 applies to all infrastructure excluding gas transmission pipelines and transmission lines over 110kV. New Plymouth PDP (Appeals Version) Rule NU-R2 applies to all underground network utilities (including customer connections), and upgrading of underground network utilities. In my view, these approaches are the same as what is proposed in the PDP.

37 For these reasons, I do not consider that INF-R2 or the relevant standards need to be amended. I also note that there is no scope through the submissions received to do so.

Matter 4(b)(viii):

Can Mr Anderson please provide his final view on whether the Moa Point Road seawalls are infrastructure in light of the legal submissions and evidence provided by WIAL, and if so, whether it is appropriate to make that clear in some way in the Infrastructure Chapter;

38 At the hearing, Ms O'Sullivan explained that Wellington International Airport Limited had submitted on the definition of *Regionally Significant*

Infrastructure as part of Proposed Change 1 to the Wellington Regional Policy Statement (RPS).

39 I have reviewed this submission point. Wellington International Airport Limited supports the definition of Regionally Significant Infrastructure in the RPS, and seek that it be retained with an amendment *“to include all associated infrastructure for the Airport, such as its navigational infrastructure and the sea wall”*.

40 Ms O’Sullivan also explained that, post the pre-circulation of her evidence for PDP Hearing Stream 9, the Section 42A Officer’s Right of Reply for Hearing Stream 7 of Proposed Change 1 to the RPS² was issued. Through this, the Section 42A Officer recommends that the definition of Regionally Significant Infrastructure includes:

Wellington International Airport including infrastructure and any buildings, installations and equipment required to operate, maintain, upgrade, and develop the airport located on, or adjacent to, land and water used in connection with the airport. This includes infrastructure, buildings, installations and equipment not located on airport land.

41 In my view, this recommended definition of Regionally Significant Infrastructure makes it clear that the seawall should be considered as a part of the airport.

42 Complicating matters somewhat is I understand that Greater Wellington Regional Council intends to release decisions on Hearing Stream 7 of Proposed Change 1 to the RPS in early August. As such, I do not know if the panel for that hearing agrees with the Officer recommendation, nor do I know if the Councillor’s agree.

43 Should the Regional Council’s decision be that the definition of Regionally Significant Infrastructure is as per the Officer

² Hearing Stream 7 for Proposed Change 1 to the RPS being the hearing stream which considered the definition of Regionally Significant Infrastructure

recommendation in their right of reply, then I consider that the Moa Point seawall must be provided for in the infrastructure chapter.

44 Sea walls, which are an installation, provide for the operation of the airport and are located on land (and water) which is adjacent to the airport. This is explicitly provided for in the Reporting Officer's recommended definition of Regionally Significant Infrastructure in Proposed Change 1 to the RPS.

45 Consequently, I consider that amendments are necessary to the INF-CE sub-chapter. Ms O'Sullivan in her evidence in chief provided recommended changes. I have reviewed these again in light of the above, and have also reviewed Mr Jamie Sirl's (Wellington City Council Senior Planning Advisor, District Plan, who was) Section 42A Report and Right of Reply, who was the Reporting Officer for PDP Hearing Stream 8 – Natural and Coastal Environment. I did this as the same matter was considered at that hearing.

46 Essentially, I consider that the Panel has already considered this matter through Hearing Stream 8. I have reviewed Mr Sirl's recommendations to the Panel at this hearing, and agree with these. For completeness, through the Section 42A Reports, Mr Sirl has recommended that, in the Natural Open Space chapter:

- A new objective protecting regionally significant infrastructure at Lyall Bay to Moa point is included;
- A new policy enabling the maintenance, repair and upgrade of hard engineering hazard mitigation structures located between Lyall Bay and Moa Point that protect regionally significant infrastructure be included;
- Permitted provision is provided under the rules for alterations, additions or upgrades to existing hard engineering hazard mitigation structures (seawalls) located between Lyall Bay and Moa Point, provided compliance is achieved with a new standard; and

- The introduction of the aforementioned new standard, which permits additions of no more than 1m in vertical projection of the structure as it existing on the date the plan is made operative, as well as assessment criteria where the standard is infringe, being the necessity of the height to protect regionally significant infrastructure.

47 Mr Sirl also suggested amendments to provisions in the Coastal Environment Chapter as a result of Wellington International Airport's position, being:

- Recognition of the Natural Open Space Zone between Lyall Bay and Moa Point in Policies CE-P6 and CEP7, which relate to use and development within coastal margins and riparian margins in the coastal environment
- Inclusion of activities in the Natural Open Space Zone between Lyall Bay and Moa Point in Rule CE-R8, which provides for any activity not otherwise listed in the coastal environment, coastal or riparian margin. This permits activities which are also a permitted activity in the underlying zone.

48 Finally, Mr Sirl, through his Right of Reply, considered that it would be appropriate to map the area which forms part of the 'airport seawall' in the ePlan maps. I agree that this is appropriate, as it clearly provides the spatial extent to the description provided in Ms O'Sullivan's evidence. This is referred to as the "Moa Point Seawall Area" and is attached in Appendix B to Mr Sirl's Right of Reply for Hearing Stream 8. For consistency, the relevant provisions in the recommended chapters attached as Appendix A to this Right of Reply use the "Moa Point Seawall Area" terminology.

49 In reviewing these recommended amendments, alongside Ms O'Sullivan's evidence, I consider that essentially the recommendations Mr Sirl has made should be placed in the suite of Infrastructure provisions.

- 50 I have made these amendments in the version attached as Appendix 1 to this right of reply. This includes amendments to the introduction of both the Infrastructure Chapter itself, and the Infrastructure – Coastal Environment Sub Chapter.
- 51 I also considered whether all Regionally Significant Infrastructure should be provided for in the same way that the changes I recommend for the Wellington International Airport Limited submission points on this matter. I consider there to be merit in this to provide consistency across the plan, however there is no scope to do so in my view. I also note that the inclusion of seawalls in the RPS is limited to Wellington International Airport.
- 52 I note that at Hearing Stream 9 to the PDP, the Panel raised with Wellington International Airport that, should it be found that their sea walls are recognised as infrastructure, previous amendments recommended to provisions heard in previous hearing streams may require further amendment. Should the Panel be of a mind to agree with my recommendations, then I consider any subsequent amendments to other chapters can be addressed in the final ‘wrap up hearing’ to be heard at completion of all Hearing Streams.

Matter 4(b)(ix):

Query whether in INF-R10, the reference to ‘associated support structures’ should be shifted to the end of the rule to better convey the intended meaning;

- 53 I agree with this suggestion, and have made the change accordingly to INF-R10, as shown in Appendix A. I consider that this can occur as a Clause 16 amendment.

Matter 4(b)(x):

Can Mr Anderson please consult with Wellington Electricity and advise if electricity lines that have a capacity of 110kV or greater form part of its network, or are likely to do so in future;

54 I can confirm I have consulted with Wellington Electricity Lines Limited. Wellington Electricity Lines Limited have no lines that have a capacity of 110kV or greater, nor do they have any plans to build lines of this capacity in the future.

Matter 4(b)(xi):

Can Mr Anderson please provide a final view on the provision for trenchless drilling in riparian margins and under waterways in light of the evidence provided by Mr Horne on behalf of the Telcos;

55 I have reflected on the discussions which were held between Mr Horne and the Panel at the hearing. As part of the discussions, Mr Horne agreed that in addition to limiting access pits to no greater than 1m², the inclusion of requirements to control erosion and sediment associated with the access pit, and a reinstatement requirement for the access pit, were appropriate for Standard INF-S7.

56 In my view, with these controls in place my concerns around allowing trenchless methods in riparian setbacks are addressed. I have therefore recommended additional wording to INF-S7 in Appendix A.

57 I note that the Greater Wellington Natural Resources Plan does not require resource consent for trenchless methods beneath streams.

Matter 4(b)(xii):

Does Mr Anderson have any further comments on the merits of making provision in the Infrastructure Chapter for waste processing activities having heard Mr Dolan's presentation for Enviro NZ?

58 I appreciated Mr Dolan's presentation, and am now more aware of the challenges which the waste industry face.

59 In terms of waste management measures at source (i.e. where the waste is generated), I note that the PDP for a number of activities such as including multi-unit housing and retirement villages requires applicants to demonstrate that there is adequate and appropriately located area on site for the management, storage and collection of all waste, recycling

and organic waste potentially generated by the development. Waste storage and collection is also a matter provided for in the Centres and Mixed Use and Residential design guides.

60 The construction of new waste processing or disposal facilities is also provided for in the PDP. In my view waste processing and disposal facilities fall within the PDP definition of *industrial activity*, and as such are provided for through the zone provisions, which enable an appropriate consideration of actual and potential effects arising from the proposal (including positive effects).

61 Given the above, and the fact that (as stated in my Section 42A Report), waste facilities do not fall within the RMA definition of infrastructure, I consider that there is no need to amend the infrastructure provisions of the PDP to address issues concerning waste.

Matter 4(b)(xiii):

Query both the scope and merits for amending INF-CE-P14 to provide for management of effects on natural character where it exists, in light of NZCPS Policy 13;

62 INF-CE-P14 provides for the operation, maintenance and repair of existing infrastructure within the coastal environment, but outside of high coastal natural character areas and coastal and riparian margins.

63 NZCPS Policy 13 concerns the preservation of natural character, and to protect the natural character of the coastal environment from inappropriate subdivision, use and development.

64 INF-CE-P14 has been drafted to apply to existing infrastructure, not the creation of new infrastructure.

65 The coastal environment has been mapped in the PDP. Within the coastal environment, as suggested by INF-CE-P14, high coastal natural character has also been mapped in the PDP.

66 The coastal environment as mapped in the PDP also includes large areas used for urban purposes, including parts of Ngauranga, Khandallah,

Wadestown, the City Centre, Oriental Bay, Roseneath, Hataitai, Kilbirnie, Rongotai, Maupuia, Miramar, Seatoun, Strathmore Park, Lyall Bay, Melrose, Houghton Bay, Island Bay, Owhiro Bay and Makara Beach.

67 The NZCPS is administered by the Department of Conservation. I note that the Director-General of Conservation submitted in support of INF-CE-P14 as notified, seeking that it be retained (submission 385.17).

68 Given that the policy clearly applies to existing infrastructure in the coastal environment, excludes any existing infrastructure located in high coastal natural character areas, and is supported by the Director-General of Conservation, I do not consider there to be a need, nor scope, to amend the policy as suggested.

Matter 4(b)(xiv):

*Query the lack of definition and/or controls over the scale of upgrading in INF-CE-P21 and the rules giving effect to it;*³

69 I am comfortable with the wording of policy INF-CE-P21, which is to allow for the upgrading of existing infrastructure within the coastal environment of the Residential Zones, Commercial and Mixed Use Zones, Industrial Zones and Special Purpose Zones. The reason for this comfort is, as explained for Matter 4(b)(xiii), there is significant existing infrastructure within the coastal environment that is within urban zones of the PDP, which will require upgrading from time to time so that it better serves its purpose.

70 The rules that give effect to the policy are INF-CE-R30, INF-CE-R31 and INF-CE-R33. These rules permit the upgrading of existing infrastructure, and the construction of new infrastructure, in all zones, in the coastal environment, but outside of high coastal natural character areas. There is no or limited recourse to any standards however which limit the scope of the upgrade.

³ It is noted that Matter 4(b)(xv) of Minute 51 is a direct replica of Matter 4(b)(xiv) and as such it has only be responded to once.

71 In the primary Infrastructure Chapter, all permitted rules relating to upgrades and new infrastructure are subject to standards or limits within rules. It was my intention that at the time that the provisions were drafted, and given the large extent of the coastal environment, that any upgraded or new infrastructure that is in the coastal environment but outside of the identified high coastal natural character areas be subject to the same provisions as infrastructure which is not subject to any overlays. I consider that this is achieved through the statement in the introduction to the Infrastructure Chapter which says *the provisions of the overlay sub-chapters apply in addition to the provisions of this chapter.*

72 However, for clarity, the Panel may wish to recommend under the aforementioned rules that the provisions of the Infrastructure Chapter apply alongside these rules, so that there is recourse to the relevant standards and limits as detailed within those rules.

Matter 4(b)(xvi):

Query both the scope and merits of qualifying the reference in INF-CE-P25 to adverse effects, so it relates to adverse effects on coastal natural character;

73 In my view, INF-CE-P25 should only be considering adverse effects on high coastal natural character areas, or within coastal and riparian margins. This is clearly the intent of the policy, but it can be made more certain with wording to ensure that the consideration is solely on the matter which the policy concerns. I consider this tweak can be made as a Clause 16 amendment, and is therefore provided in the recommended changes in Appendix A.

Matter 4(b)(xvii):

Query whether INF-NFL-S17.1(a) should be deleted consequent on shifting of National Grid provisions to its own sub-chapter;

74 INF-NFL-S17.1(a) limits permitted earthworks to 50m³ per transmission line support structure, where these structures are located in a natural

feature or landscape. Given the National Grid sub-chapter now recommended, the provision should be deleted. It does not need to be transferred to the National Grid sub-chapter, as the matter is addressed by different provisions within that sub-chapter. The recommended deletion is shown in the recommended amendments attached as Appendix A.

Matter 4(b)(xviii):

Can Mr Anderson please provide the assessment which is missing in Section 4.7 of his Section 42A Report;

75 In an unfortunate oversight, I did not provide an assessment of the submissions received on Standard INF-NFL-S21 as notified (noting it is now recommended to be INF-NFL-S17).

76 As stated in Matter 4(b)(xviii) above, the submissions received on INF-NFL-S2 are assessed in Section 4.7 of my Section 42A Report (being Part 2 of the two part report).

77 For context, INF-NFL-S21 relates to earthworks undertaken in associated with infrastructure works within the Natural Features and Landscapes overlay.

78 Four submissions and one further submission were received on the standard.

79 Waka Kotahi and Transpower both sought that the standard be retained as notified.

80 Firstgas sought an amendment to allow for excavation up to a maximum volume of 350m³ per project during maintenance and repair works on existing infrastructure.

81 Greater Wellington Regional Council sought an amendment to remove the word 'identified' before 'significant biodiversity values' when referring to adverse effects caused by activities or maintenance of biodiversity values. This was supported by the Wellington City Council Environmental Reference Group through a further submission.

82 The only recommended amendment to the standard was the removal of a 50m³ limit per transmission line support structure, on the basis that earthworks for transmission lines are recommended to be addressed in the National Grid sub-chapter.

83 I do not agree with the Firstgas submission. Earthworks for project works in the Natural Features and Landscape overlay have the potential to adversely affect the identified values of outstanding natural features and landscapes, special amenity areas and ridgelines and hilltops (being the overlays addressed in the Natural Features and Overlays sub-chapter). The only permitted allowance is 100m³ per access track. This is a relatively small allowance which in effect only gives rise to maintenance of existing access tracks (thereby limiting new visual impacts on Natural Features and Landscape), rather than the construction of new ones.

84 The submission from Greater Wellington Regional Council is somewhat helpful, in that it indicates that the assessment criteria for the standard relate to biodiversity values. This is an oversight. Assessment criterion (2) currently reads:

2. The effect of the activity and removal on the identified biodiversity values of the significant natural area and the measures taken to avoid, minimise or remedy the effects and where relevant the ability to offset biodiversity impacts.

85 This is an appropriate assessment criterion for infrastructure works in Significant Natural Areas, although not in Natural Features and Landscape areas however.

86 On reflection, assessment criterion (2) should be amended as follows:

2. The effect of the activity and removal on the identified values of the Outstanding Natural Feature and Landscape, Significant Amenity Landscape or Ridgeline and Hilltop (whichever is relevant) and the measures taken to avoid, minimise or remedy the effects on the natural feature or landscape.

87 However, the submission from Greater Wellington Regional Council does not afford me scope to do so.

88 It is clearly an error. As such, I recommend it be amended to the wording used in Paragraph 86 above, and I have shown in Appendix A what this change should look like.

89 In making this recommendation, the submission point raised by Greater Wellington Regional Council is addressed.

Matter 4(b)(xix):

90 Matter 4(b)(xix) is:

Can Mr Anderson please provide his view as to whether provisions such as INF-NFL-P38.2 which currently refer to what ‘can be’ done should be amended to reference what ‘will be’ done?

91 The term ‘can be’ is used in multiple instances in the Infrastructure — Natural Features and Landscapes sub-chapter, specifically being used in:

- INF-NFL-P33;
- INF-NFL-P34;
- INF-NFL-P36;
- INF-NFL-P38;
- INF-NFL-P39;
- INF-NFL-P41
- INF-NFL-P43;
- INF-NFL-P50; and
- INF-NFL-P51.

92 The context of the term is generally used as ‘adverse effects on the identified values can be avoided’. Replacing ‘can be’ with ‘will be’ provides much more certainty, and as such I consider that at each instance this change should be made.

93 I consider the change can be made as a clause 16 amendment, and this is reflected in the recommended amendments attached as Appendix A.

Matter 4(b)(xx):

Query whether INF-OL-R62 should be restricted to situations where land is disturbed by the same infrastructure. In particular, why should it matter what has previously disturbed the ground?

94 The intent of INF-OL-R62 (now recommended to be INF-OL-R53) is that land which has previously been disturbed, should be able to be disturbed again without concern that the disturbance will impact on a matter of identified value from a heritage or site/area of significance to māori.

95 Powerco submission 127.39 (supported by Wellington Electricity Lines Limited further submission 27.16) sought that the rule apply to land which has previously been disturbed by any infrastructure, as did Telco submission 99.60.

96 As such, there is scope to allow INF-OL-R53 to apply to ground previously disturbed by any infrastructure (as opposed to the same infrastructure, which is how it currently reads).

97 The matter raised above however poses the question of why should it matter what has previously disturbed the ground. In my view, it does not matter, but, in some instances, it might be difficult to tell if there has previously been ground disturbance or not.

98 Infrastructure, including underground infrastructure, is generally mapped (although not necessarily in the PDP – noting that Powerco and Chorus map their underground infrastructure and this is available should it be needed, such as through the “dial before dig” service, and WCC GIS maps the three waters network). This mapping, assuming it is accurate, provides a level of comfort that the ground has previously been disturbed.

99 Therefore, by limiting the rule to ground that has previously been disturbed by any infrastructure, there is greater certainty that the ground has in fact previously been disturbed. Further, there is scope to

make this amendment through the aforementioned Powerco and Telco submissions.

100 As such, the amendment has been made in the recommendations attached as Appendix A.

Matter 4(b)(xxi):

Does Mr Anderson have any comments on the apparent inconsistency of the suggested height limit in INF-OL-R57 with the height limit provided for in the rules governing heritage areas generally (HH-R21);

101 INF-OL-R57 permits infrastructure up to 2m high in heritage areas. HH-R21 permits new buildings and structures up to 1.5m high in heritage areas.

102 The genesis of INF-OL-R57 was Mr Horne's expert planning evidence for the Telco's where he was of the opinion that utility cabinets with a height of up to 2m located in roads in heritage areas are small scale built elements, and provide infrastructure require for heritage areas to be used for their zone purpose. I agreed with him, and hence Rule INF-OL-R57 was inserted through my rebuttal evidence.

103 In terms of considering the matter put to me, I have considered the fact that INF-OL-R57 only applies to new infrastructure in roads, and has a footprint limit of 2m². I also note that HH-R21 has a footprint for new buildings of 10m².

104 As such, it is clear that INF-OL-R57 allows for slightly taller, but area-wise significantly smaller structures, limited to road reserve, compared to what HH-R21 permits.

105 Given the area and location restrictions provided for by INF-OL-R57, and Mr Horne's reasoning, I am comfortable with the height difference highlighted above. However, as the Panel is aware, I am a planning expert, not a heritage expert, and there may be different views as to the appropriateness of the additional 0.5m of height for infrastructure.

Matter 4(b)(xxii):

Query whether the instruction in INF-OL-P62 to 'give priority' requires clarification;

- 106 The use of the term 'give priority to avoiding the adverse effects' in what is now recommended to be INF-OL-P57(a) was intended to work in with subclause (b) of the policy, which is to apply where the avoidance of adverse effects is not practicable.
- 107 Essentially, the policy is instructing that in the first instance, adverse effects of substantial upgrades, or new infrastructure, should avoid effects on historic heritage, notable trees, sites and areas of significance to Māori and view shafts, but also provide a pathway should it not be practicable to avoid such effects.
- 108 On reflection, this same outcome can be achieved by rewording INF-OL-P57(a) to state 'where practicable, avoid the adverse effects...' as opposed to 'give priority to avoiding'. This would provide an indication to any users of the policy that practicability of avoidance is the key operative part of the policy, which determines whether there is an ability for INF-OL-P57(b) to be used or not. The language used however is more certain and directive.
- 109 As the policy direction remains the same, I consider that this change can be made as a Clause 16 amendment.

Matter 4(b)(xxiii):

As regards the suggested INF-NG sub-chapter, query whether amendments are required to the sub-chapter to better align the suggested objectives and policies with the NPSET;

- 110 In considering this matter, I have compared and contrasted the provisions in the INF-NG sub-chapter with the equivalent provisions in the Proposed Porirua District Plan (appeals version) and NPSET. I have also reviewed the responses of Ms Whitney when she was questioned by the Panel on this matter.

- 111 In terms of the comparison between the proposed provisions, NPSET and Proposed Porirua District Plan, these are set out in Appendix 2 to this right of reply.
- 112 In my view, there is clear alignment between the NPSET, the proposed provisions in the PDP, and also consistency with the equivalent provisions in the Porirua PDP.
- 113 Where there have been departures from the NPSET, such as between NPSET Policy 7, which states *Planning and development of the transmission system should minimise adverse effects on urban amenity and avoid adverse effects on town centres and areas of high recreational value or amenity and existing sensitive activities* and PDP Policy INF-NG-P62 which states *In urban zoned areas, development should minimise adverse effects on urban amenity and should avoid material adverse effects on the Commercial and Mixed-Use zones, and areas of high recreational or amenity value and existing sensitive activities*, Ms Whitney provided clear and in my view, appropriate, reasoning as to why these have occurred. For the above example, it was to allow matters such as undergrounding of transmission lines. In Ms Whitney's view, which I agree with, placing lines underground avoids material adverse effects on amenity. 'Material' provides an important qualifier, as I consider that the works to enable such an outcome could be construed as having an adverse effect, and therefore could be problematic under NPSET Policy 7.
- 114 Overall, I agree with Ms Whitney that in general the wording of the provisions in the National Grid sub-chapter has been drafted to give effect to and to provide greater context and certainty of the NPSET provisions.
- 115 Based on the analysis I have undertaken since the hearing, including comparison of the table attached as Appendix 2, I do not consider there to be a need to further refine the wording of the objectives and policies of the National Grid sub-chapter.

116 I also note, in considering mapping of the National Grid corridors, Ms Whitney has discussed the use of a “ghost layer” of provisions in the PDP. These would map the National Grid corridors, and would work in conjunction with the definitions of National Grid Yard and National Grid Subdivision Corridor. An advice note to confirm with Transpower the extent to which these defined areas infringe onto a property – essentially ‘ground truthing’ the mapped extent of the corridor, could then be utilised. Ms Whitney noted at the hearing that this is a service which Transpower provide.

117 As such, I consider indicative mapping of the National Grid corridors in the E-Plan would be appropriate, with an advice note which states “*in order to confirm whether your property is within either the National Grid Yard and National Grid Subdivision Corridor, please contact Transpower through their Land Development and Use Enquiry Portal <https://transpower.patai.co.nz/>”.*

118 Consequently, I recommend that the definitions of National Grid Yard and National Grid Subdivision Corridor as per Ms Whitney’s evidence in chief must be included in the PDP. This is shown in Appendix A.

OTHER MATTERS

119 There are a number of other matters I wish to address which were discussed at the hearing, but have not been identified in Minute 51. I make comments on these below.

INF-P7 Clarity

120 I was asked by the panel if policy INF-P7 should retain a reference to the term *reverse sensitivity*. I do not consider this necessary. In my view, *incompatible subdivision, use and development* incorporates what reverse sensitivity is, and as such, specific reference to the term does not add benefit. Rather, it may create confusion as to what the policy is seeking to achieve.

New Zealand Transport Agency Waka Kotahi Name

121 During the process of preparing the draft and proposed Infrastructure chapters, there has been a name alteration at New Zealand Transport Agency Waka Kotahi. This was raised by the panel during the hearing. I have now amended all references in the chapters to consistently reflect this altered name. This is provided as a Clause 16 amendment to the provisions attached in Appendix 1.

INF-R5 Clarity

122 As a clause 16 amendment, I have added an 's' to INF-R5 so the rule clearly provides for more than one customer connection.

INF-R7 Clarity

123 I have renamed INF-R7 from "Structures associated with infrastructure" to "Infrastructure structures not otherwise managed by specific rules in this chapter" to make it clear that it applies to structures that are infrastructure, rather than structures that could be associated with infrastructure.

124 The renamed rule also provides a limitation as to what infrastructure structures it provides for, and avoids conflict with rules for other infrastructure structures that are subject to other rules in the chapter.

125 Finally, I have recommended that INF-P9 and INF-P11 (which concern road related infrastructure) be included as matters of discretion, given that bus shelters and EV charging stations are specifically included in the rule.

126 In my view this is a clause 16 amendment.

INF-R17 Clarity

127 I have added wording to INF-R17 so it is clear that the rule concerns only new above ground pipelines that are not customer connections. In my view this is a clause 16 amendment.

Gas Transmission Network

128 I have reviewed the provisions so that references to the 'gas transmission network' state exactly that, rather than similar but

undefined wording such as the 'gas transmission pipeline'. In my view this is a clause 16 amendment.

INF-CE Sub-Chapter

129 I have recommended that INF-CE-P20 be updated to refer only to functional need, which provides alignment with the NZCPS. The NZCPS does not provide for operational need.

130 I have reorganised the policies and rules of the INF-CE sub-chapter so that all policies and all rules are located together. Note, this is not shown as a change in Appendix 1.

INF-NFL Sub-Chapter

131 Like the INF-CE sub-chapter, I have reorganised the policies and rules of the INF-NFL sub-chapter so that all policies and all rules are located together. Note, this is not shown as a change in Appendix 1.

INF-OL Sub-Chapter

132 I have amended what is now INF-OL-R56 as per what I stated was necessary in Paragraph 328 of Part 2 of my Section 42A Report, noting that I never then made that amendment in any of the recommended changes to the chapter thus far. As stated in the Section 42A Report, this is a clause 16 amendment.

INF-NH Sub-Chapter

133 I have rearranged the wording to Rule INF-R49.1(b) to exclude maintenance and upgrade of infrastructure in legal road and customer connections from the permitted condition. In my view this is a clause 16 amendment.

Numbering and Cross Referencing

134 I have amended a number of provisions to ensure numbering is consistent and cross references are correct. In my view these are clause 16 amendments.

CONCLUSION

135 I do not consider there to be any further amendments to the suite of infrastructure provisions that are necessary as a result of matters arising out of the hearing.

Date: 19 July 2024

Name: Tom Anderson

Position: Consultant Planner

Wellington City Council

Appendix 1: Tracked Changes to Infrastructure Chapters (and Sub Chapters)

Appendix 2: Comparison between WCC PDP National Grid Sub Chapter Provisions, the equivalent provision in the PCC PDP and the NPSET

Proposed Wellington PDP Provisions	Proposed Porirua PDP Provisions	NPSET Provision
<p>INF-NG-07 The National Grid <i>The national significance and benefits of the National Grid are recognised, and the National Grid is protected and provided for.</i></p>	<p>INF-01 The benefits of Regionally Significant Infrastructure <i>The national, regional and local benefits of Regionally Significant Infrastructure are recognised and provided for.</i></p> <p>INF-02 The protection of Regionally Significant Infrastructure <i>The function and operation of Regionally Significant Infrastructure is protected from the adverse effects, including reverse sensitivity effects, of subdivision, use and development.</i></p>	<p>5. Objective <i>To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:</i></p> <ul style="list-style-type: none"> <i>• managing the adverse environmental effects of the network; and</i> <i>• managing the adverse effects of other activities on the network.</i>
<p>INF-NG-P58 Benefits of the National Grid <i>Recognise and provide for the benefits of the National Grid by enabling the operation, maintenance and upgrade of the existing National Grid and the establishment of new electricity transmission assets</i></p>	<p>INF-P1 The benefits of Regionally Significant Infrastructure <i>Recognise the social, economic, environmental and cultural benefits of Regionally Significant Infrastructure, including:</i></p> <ol style="list-style-type: none"> <i>1. The safe, secure and efficient transmission and distribution of gas and electricity that gives people access to energy to meet their needs;</i> 	<p>Policy 1 <i>In achieving the purpose of the Act, decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. The benefits relevant to any particular project or development of the electricity transmission network may include:</i></p> <ol style="list-style-type: none"> <i>i) maintained or improved security of supply of electricity; or</i> <i>ii) efficient transfer of energy through a reduction of transmission losses; or</i> <i>iii) the facilitation of the use and development of new electricity generation, including renewable generation which assists in the management of the effects of climate change; or</i> <i>iv) enhanced supply of electricity through the removal of points of congestion.</i> <p><i>The above list of benefits is not intended to be exhaustive and a particular policy, plan, project or development may have or recognise other benefits.</i></p>
<p>INF-NG-P59 Operation, and maintenance and minor upgrade of the National Grid</p>	<p>INF-P7 Operation and maintenance and repair of the National Grid</p>	<p>Policy 2 <i>In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation,</i></p>

<p><i>Enable the operation, maintenance and minor upgrade of the National Grid while managing the adverse effects of these activities, recognising its operational, functional and technical constraints</i></p>	<p><i>Provide for the operation and the maintenance and repair of the National Grid that is not a permitted activity under the National Environmental Standards for Electricity Transmission Activities, and that:</i></p> <ol style="list-style-type: none"> <i>1. Minimises adverse effects on the environment; and</i> <i>2. Where located within a specified Overlay, is of a nature and scale that does not compromise the values and characteristics of the areas identified by the specified overlays that it is located within.</i> 	<p><i>maintenance, upgrading and development of the electricity transmission network.</i></p> <p>Policy 3 <i>When considering measures to avoid, remedy or mitigate adverse environmental effects of transmission activities, decision-makers must consider the constraints imposed on achieving those measures by the technical and operational requirements of the network.</i></p>
<p><i>INF-NG-P60 Adverse effects on the National Grid</i> <i>Protect the safe and efficient operation, maintenance and repair, upgrading, removal and development of National Grid from adverse effects by:</i></p> <ol style="list-style-type: none"> <i>1. Avoiding land uses (including sensitive activities) and buildings and structures within the National Grid Yard that may directly affect or otherwise compromise the National Grid</i> <i>2. Avoiding adverse effects on the National Grid from incompatible subdivision, use and development.</i> <i>3. Only allowing subdivision within the National Grid Subdivision Corridor where it can be demonstrated that the National Grid will not be compromised taking into account:</i> <ol style="list-style-type: none"> <i>a. The impact of the subdivision layout and design on the operation, maintenance, and potential upgrade and development of the National Grid, including the ability for continued reasonable access to existing transmission assets for maintenance, inspections and upgrading;</i> <i>b. The ability of any potential future development to comply with NZECP 34.2001 New Zealand Electrical Code of Practice for Electrical Safety Distances;</i> <i>c. The extent to which the design and layout of the subdivision demonstrates that a suitable building</i> 	<p><i>INF-P6 Adverse effects on the National Grid</i> <i>Protect the safe and efficient operation, maintenance and repair, upgrading, removal and development of the National Grid from being compromised by:</i></p> <ol style="list-style-type: none"> <i>1. Avoiding sensitive activities and building platforms located within the National Grid Yard;</i> <i>2. Requiring any buildings or structures to be of a nature and scale to minimise adverse effects on the National Grid, including reverse sensitivity effects, and to be located and designed to maintain safe distances within the National Grid Corridor;</i> <i>3. Only allowing subdivision within the National Grid Subdivision Corridor or the National Grid Pāuatahanui Substation Yard where it can be demonstrated that any reverse sensitivity effects will be avoided as far as reasonably possible, and any other adverse effects on the National Grid, will be avoided, remedied or mitigated, taking into account:</i> <ol style="list-style-type: none"> <i>a. The impact of subdivision layout and design on the operation and maintenance, and potential upgrade and development of the National Grid, including on Transpower's existing ability to access the Grid;</i> <i>b. The ability of any potential future development to comply with NZECP 34:2001 New Zealand</i> 	

<p>platform(s) for a principal building or dwelling can be provided outside of the National Grid Yard for each new lot;</p> <p>d. The risk to the structural integrity of the National Grid;</p> <p>e. The extent to which the subdivision design and consequential development will minimise the risk of injury and/or property damage from the National Grid and the potential reverse sensitivity on and amenity and nuisance effects of the National Grid assets;</p> <p>f. The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid; and</p> <p>g. The outcome of any consultation with, and technical advice from, Transpower.</p> <p>4. Only allowing earthworks within the National Grid Yard where it can be demonstrated that the safe and efficient functioning, operation, maintenance and repair, upgrading and development of the National Grid will not be compromised, taking into account:</p> <p>a. The extent to which the earthworks may compromise the safe access to and operation, maintenance and repair, upgrading and development of the National Grid;</p> <p>b. The stability of land within and adjacent to the National Grid;</p> <p>c. Risks relating to health or public safety, including the risk of property damage; and</p> <p>d. Technical advice provided by the owner and operator of the National Grid.</p>	<p>Electrical Code of Practice for Electrical Safe Distances;</p> <p>c. The extent to which the design and layout of the subdivision demonstrates that a suitable building platform(s) for a principal building or dwelling can be provided outside of the National Grid Yard for each new lot;</p> <p>d. The structural integrity of the National Grid;</p> <p>e. The extent to which the subdivision, design and consequential development will minimise the risk of injury and/or property damage and amenity and nuisance effects of the National Grid and consequential reverse sensitivity effects that might result;</p> <p>f. The nature and location of any proposed vegetation to be planted within the National Grid Yard; and</p> <p>g. The outcome of any consultation with, and technical advice from, Transpower.</p>	
<p>INF-NG-P61 Upgrading of the National Grid Provide for the upgrading of the National Grid while:</p> <p>1. Seeking to avoid adverse effects on areas identified in SCHED10 – Outstanding Natural Features and Landscapes, SCHED12 - High Coastal Natural</p>	<p>INF-P8 Upgrading of the National Grid In providing for the upgrading of the National Grid that is not permitted by the National Environmental Standards for Electricity Transmission Activities:</p>	<p>Policy 4 When considering the environmental effects of new transmission infrastructure or major upgrades of existing transmission infrastructure, decision-makers must have regard to the extent to which any adverse</p>

<p><i>Character Areas, SCHED8 - Significant Natural Areas, SCHED11 – Special Amenity Landscapes; and remedy or mitigate any adverse effects from the upgrade which cannot be avoided;</i></p> <p><i>2. Having regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection when considering major upgrades;</i></p> <p><i>3. Recognising the constraints arising from the operational need, functional need and technical requirements of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects;</i></p> <p><i>4. Recognising the potential benefits of upgrades to the National Grid to people and communities; and</i></p> <p><i>5. Where appropriate, major upgrades should be used as an opportunity to reduce existing adverse effects of the National Grid.</i></p>	<ol style="list-style-type: none"> <i>1. Enable upgrades of the National Grid that have only minor adverse effects on the environment;</i> <i>2. In all other cases, have regard to the extent to which adverse effects have been avoided, remedied or mitigated, including by the route, site and method selection;</i> <i>3. Seek to avoid adverse effects on areas identified in SCHED9 - Outstanding Natural Features and Landscapes, SCHED11 - Coastal High Natural Character Areas, SCHED7 - Significant Natural Areas, SCHED10 - Special Amenity Landscapes and other areas of high recreation or amenity value;</i> <i>4. Recognising the constraints arising from the operational needs and functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects;</i> <i>5. Applying the mitigation hierarchy in ECO-P2 and assessing the matters in ECO-P4, ECO-P11 and ECO-P12 when considering any upgrade within an area identified in SCHED7 - Significant Natural Areas;</i> <i>6. Recognising the potential benefits of upgrades to existing transmission lines to people and communities;</i> <i>7. In urban areas, minimising adverse effects on urban amenity and avoiding adverse effects on the Metropolitan Centre Zone, areas of high recreation or amenity value and existing sensitive activities; and</i> <i>8. Considering opportunities to reduce existing adverse effects of the National Grid as part of any substantial upgrade.</i> 	<p><i>effects have been avoided, remedied or mitigated by the route, site and method selection.</i></p> <p>Policy 5 <i>When considering the environmental effects of transmission activities associated with transmission assets, decision-makers must enable the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.</i></p> <p>Policy 6 <i>Substantial upgrades of transmission infrastructure should be used as an opportunity to reduce existing adverse effects of transmission including such effects on sensitive activities where appropriate.</i></p>
<p>INF-NG-P62 Development of the National Grid <i>Provide for the development of the National Grid.</i></p> <p><i>1. In urban zoned areas, development should minimise adverse effects on urban amenity and should avoid material adverse effects on the Commercial and</i></p>	<p>INF-P9 Development of the National Grid <i>Provide for the development of the National Grid, while:</i></p> <p><i>1. In urban areas, minimising adverse effects on urban amenity and avoiding adverse effects on the</i></p>	<p>Policy 4 <i>When considering the environmental effects of new transmission infrastructure or major upgrades of existing transmission infrastructure, decision-makers must have regard to the extent to which any adverse</i></p>

<p><i>Mixed-Use zones, and areas of high recreational or amenity value and existing sensitive activities.</i></p> <p>2. <i>Seek to avoid the adverse effects of the National Grid within areas identified in SCHED10 – Outstanding Natural Features and Landscapes, SCHED8 - Significant Natural Areas, and SCHED11 – Special Amenity Landscapes, outside the coastal environment.</i></p> <p>3. <i>Where the National Grid has a functional need or operational need to locate within the coastal environment, manage adverse effects by:</i></p> <p>a. <i>Seeking to avoid adverse effects on areas identified in SCHED10 – Outstanding Natural Features and Landscapes, SCHED12 – High Coastal Natural Character Areas, SCHED8 - Significant Natural Areas, SCHED11 – Special Amenity Landscapes, and the Coastal Margin.</i></p> <p>b. <i>Where it is not practicable to avoid adverse effects on the values of the areas in SCHED10 – Outstanding Natural Features and Landscapes, SCHED12 - High Coastal Natural Character Areas, SCHED8 - Significant Natural Areas, SCHED11 – Special Amenity Landscapes; and the Coastal Margin because of the functional needs or operational needs of the National Grid, remedy or mitigate adverse effects on those values.</i></p> <p>c. <i>Seeking to avoid significant adverse effects on:</i></p> <p>i. <i>other areas of natural character</i></p> <p>ii. <i>natural attributes and character of other natural features and natural landscapes</i></p> <p>iii. <i>indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010</i></p> <p>d. <i>Avoiding, remedying or mitigating other adverse effects to the extent practicable; and</i></p> <p>e. <i>Recognising there may be some areas within SCHED10 – Outstanding Natural Features and</i></p>	<p><i>Metropolitan Centre Zone, areas of high recreational or amenity value, and existing sensitive activities;</i></p> <p>2. <i>Seeking to avoid the adverse effects of the National Grid within areas identified in SCHED9 - Outstanding Natural Features and Landscapes outside of the Coastal Environment, SCHED10 - Special Amenity Landscapes, SCHED11 - Coastal High Natural Character Areas, and areas of high recreational or amenity value;</i></p> <p>3. <i>Allowing development to proceed where the National Grid has a functional or operational need to locate within the Coastal Environment and</i></p> <p>a. <i>It is not practicable to avoid adverse effects within areas identified in SCHED9 - Outstanding Natural Features and Landscapes in the Coastal Environment, SCHED10 - Special Amenity Landscapes, SCHED11- Coastal High Natural Character Areas, provided satisfactory measures are taken to remedy or mitigate the residual adverse effects; and</i></p> <p>b. <i>Seeking to avoid significant adverse effects on other areas of natural character, natural attributes and character of other natural features and landscapes, and indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010, and avoiding, remedying or mitigating other adverse effects to the extent practicable;</i></p> <p>4. <i>Applying the mitigation hierarchy in ECO-P2 and assessing the matters in ECO-P4, ECO-P11 and ECO-P12 when considering the effects of the National Grid in an area identified in SCHED7 - Significant Natural Areas; and</i></p> <p>5. <i>When considering the adverse effects in respect of 1-4 above;</i></p>	<p><i>effects have been avoided, remedied or mitigated by the route, site and method selection.</i></p> <p>Policy 5 <i>When considering the environmental effects of transmission activities associated with transmission assets, decision-makers must enable the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.</i></p> <p>Policy 7 <i>Planning and development of the transmission system should minimise adverse effects on urban amenity and avoid adverse effects on town centres and areas of high recreational value or amenity and existing sensitive activities.</i></p> <p>Policy 8 <i>In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.</i></p>
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<p><i>Landscapes, SCHED12 - High Coastal Natural Character Areas, SCHED8 - Significant Natural Areas, SCHED11 – Special Amenity Landscapes; and the Coastal Margin, where avoidance of adverse effects is required to protect the identified values and characteristics.</i></p> <p><i>4. Remedy or mitigate any adverse effects from the operation, maintenance, upgrade, major upgrade or development of the National Grid which cannot be avoided, to the extent practicable; and</i></p> <p><i>5. When considering the adverse effects in respect of 1-34 above;</i></p> <p><i>a. Have regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection; and</i></p> <p><i>b. Consider the constraints arising from the operational needs, or functional needs or technical constraints of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects.</i></p>	<p><i>a. Having regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection and techniques and measures proposed; and</i></p> <p><i>b. Considering the constraints arising from the operational needs and functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects.</i></p>	
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