

**Before the Hearing Panel Appointed by Waikato District Council
to Hear Submissions on the Proposed Waikato District Plan**

In the matter of: **the Resource Management Act 1991**

And: **Submissions and Further Submissions
Lodged on the Proposed Waikato District
Plan by Meridian Energy Limited**

**Statement of Evidence of Christine Anne Foster
Called by Meridian Energy Limited**

HEARING 22 - INFRASTRUCTURE

28 September 2020

1. Introduction

- 1.1. My name is Christine Anne Foster. I am a Planning Consultant and sole director of CF Consulting Services Limited, based in Wellington. My qualifications and experience are as set out in my statement of evidence to Hearing Number 3.
- 1.2. This statement of evidence is within my area of expertise as a resource management planner, except where I state that I rely on the evidence of others. I reaffirm my commitment, stated in my evidence to Hearing Number 3, to abide the Code of Conduct for Expert Witnesses set out in the 2014 Environment Court Practice Note (and, in particular section 7 in relation to an expert's duty to the Court). I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

2. Definition of 'Infrastructure'

Submission Point: 580.1

Section 42A Report: Report D0, paragraphs 194 and 195

- 2.1 Meridian's submission point requested that large-scale wind farms be explicitly listed within the definition of 'infrastructure'. As an alternative, the submission point requested that the definition explicitly include all of the ancillary activities necessary to support large-scale wind farms. The proposed Waikato District Plan's (PWDP) definition of 'infrastructure' replicates the RMA definition which includes facilities for electricity generation as highlighted below:

Infrastructure Means:

- (a) *pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel ...;*
- (b) *a network for the purpose of telecommunication,;*
- (c) *a network for the purpose of radiocommunication,;*
- (d) ***facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person:***
 - i. ***uses them in connection with the generation of electricity for the person's use; and***
 - ii. ***does not use them to generate any electricity for supply to any other person; ...***
- (e) *a water supply distribution system,....*

- 2.2 There is no definition for 'infrastructure' in the National Planning Standards. The Standards had not been finalised when Meridian lodged its submission and there was a thought that the Standards may, at that time, have included a definition for 'regionally significant infrastructure'. As gazetted, they don't.

- 2.3 The PWDP includes a definition for 'large-scale wind farm', which means '*buildings, structures, access tracks and turbines used to generate electricity from wind and convey the electricity to an associated substation in order to supply the wholesale electricity market.*'

2.4 Meridian's concern was to ensure that whatever definition the PWDP adopts for 'infrastructure', and where the expression 'infrastructure' is used in the PWDP objectives, policies and rules, it should explicitly include all components of the wind farm that are necessary to facilitate electricity generation. That is, not only turbines but also the access tracks, substations, support facilities, meteorological equipment and buildings necessary to support electricity generation.

2.5 The Reporting Officer recommends that Meridian's request be rejected for the following reasons:

194. There are 14 submissions; half seek retention of the definition of "infrastructure" and the other half seek various amendments. The term "infrastructure" is defined in s.2 of the RMA and I do not support moving away from this definition. The following discussion responds to specific amendments sought.

195. Meridian Energy [580.1] seeks the inclusion of large-scale wind farms to ensure that ancillary activities are provided for. The definition includes facilities for the generation of electricity, which would include the buildings, structures and plant, and access tracks and other ancillary activities. Electricity generators can be gazetted as "electricity operators" under s.4A of the Electricity Act 1992 and s.166 of the RMA includes electricity operators within the definition of "network utility operators" if they connect to the transmission or distribution network (i.e. not for electricity use on their own site). The PWDP definition of "network utility operator" is taken directly from the RMA. I do not consider that the definition of infrastructure in the PWDP needs to be amended to explicitly state "large-scale wind farms" or their ancillary activities. Earthworks activities associated with infrastructure, such as for the creation of access tracks, is a specified activity P4 14.3.1.3 in Section 14.3 General Infrastructure. I recommend rejecting Meridian Energy [580.1].

2.6 The Reporting Officer's view is that the word 'facilities' in the definition of 'infrastructure' does include 'the buildings, structures and plant, and access tracks and other ancillary activities'. That is helpful clarification, in the absence of any definition of 'facilities' in the PWDP (or in the National Planning Standards). Meridian's submission point was seeking certainty that the Reporting Officer's approach would be carried forward to the implementation of the Plan. The PWDP definition of 'large-scale wind farm' defines the full range of component activities well and Meridian's submission endorsed it. The certainty Meridian was seeking could be achieved by clarifying that 'facilities' includes or references the definition of 'large-scale wind farm'.

2.7 I agree that it is useful to adopt established definitions without adjusting those (such as retaining the RMA definition of 'infrastructure'). If the intention is as the Reporting Officer states, and to avoid confusion in future, it would be helpful if there could be some confirmation recorded that the expression 'facilities' used in the PWDP definition of 'infrastructure' includes either the activities summarised by the Reporting Officer or, as suggested by Meridian, the activities within the PWDP definition of 'large-scale wind farm'. That could be, either, by adding a note of clarification to the definition of 'infrastructure' or by including a definition of 'facilities' (as a form of alternative relief). Unless that is done, there is a risk that the interpretation offered by the Reporting Officer may be lost over time.

2.8 The point is important because the Chapter 6 objectives and policies address the issues for renewable electricity generation (wind farms) under both the general label ‘infrastructure’ and under the specific labels ‘renewable energy’ and ‘renewable electricity generation’.

2.9 For example, Objective 6.1.1 is that *‘infrastructure is developed, operated and maintained to benefit the social, economic, cultural and environmental well-being of the district’*. There is no equivalent objective separately addressing the benefits derived from the use and development of renewable energy. Policy A of the National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG) directs that decision-makers must recognise and provide for the national significance of renewable electricity generation activities, including the national, regional and local benefits relevant to renewable electricity generation. Objective 6.1.1 appears to be the objective intended to acknowledge, recognise and provide for these benefits. Objective 6.1.1 addresses the benefits of renewable electricity generation because the expression ‘infrastructure’, used in Objective 6.1.1, refers to facilities for the generation of electricity. As already noted, it is important that the expression ‘facilities’ is understood to include all of the necessary components of the wind electricity generation activity and that the expression ‘facilities’ includes the whole wind farm activity (as described earlier).

2.10 In a similar vein, Policy 6.1.2 provides for the development, operation, maintenance, repair, replacement, upgrading and removal of infrastructure and acknowledges the functional and operational needs, locational constraints and benefits of that infrastructure. There is no separate Chapter 6 policy explicitly addressing these issues for renewable electricity generation. It is important that, for these purposes, it is accepted that ‘infrastructure’ captures all of the necessary components of the wind electricity generation activity. The aim of Meridian’s submission point was to ensure that this is made clear, so that the policy framework clearly applies (as intended) to all of the activities that comprise the renewable electricity generation activity. This is relevant, for example, in situations where changes may be necessary to an access track or to a substation. These are not activities separate from the electricity generation activity – they are integral to it – and the relevant policies (for electricity generation) must apply equally to them.

2.11 It would be helpful if there is some written confirmation that the approach proposed by the Reporting Officer (that ‘facilities’ includes all component parts of a wind generation activity) is the Plan’s intention.

3. Definition of ‘Minor Upgrading’

Submission Point: 580.2 and FS1258.21 (on Horticulture NZ submission point 419.127)

Section 42A Report: Report D0, paragraphs 137 to 150

3.1 Meridian’s submission point supported the definition of ‘minor upgrading’, provided all of the ancillary activities and structures of a wind farm are explicitly included in the definition of ‘infrastructure’ (for the reasons explained above). Horticulture NZ’s submission point 419.127 requested an addition to the definition to limit any increase in voltage to lines that were already constructed for the increased voltage. Meridian’s further submission point

FS1258.21 opposes Horticulture NZ's requested addition because the limitation unnecessarily constrains the efficient use and development of existing transmission assets.

3.2 The Reporting Officer does not accept Horticulture NZ's submission point for reasons explained in paragraph 143 and agrees that the requested limit would unnecessarily constrain efficient use and development.

3.3 The Reporting Officer adopts a similar approach as described above for the definition of 'infrastructure': that a wind farm's ancillary structures and activities are captured within the expression 'facilities' used in the definition of 'infrastructure'. On this basis, he explains (in paragraph 147) that these ancillary structures and facilities are included for the purposes of the definition of 'minor upgrading':

'In my opinion, a large-scale wind farm is included in 'facilities for the generation of electricity'. Therefore, minor upgrading of an existing large-scale windfarm including the ancillary activities and structures necessary to support it is captured by the definition of 'minor upgrading of existing infrastructure' provided it utilises existing structures and networks and/or structures and networks of a similar scale and character'.

3.4 As discussed above, that is helpful but it would be helpful to have written confirmation recorded somewhere that ensures this interpretation is applied in implementing the Plan. As suggested above, that could be in the form of a note of clarification added to the definition of 'infrastructure' or by inclusion of a definition of 'facilities' (as a form of alternative relief) or by recording that the Reporting Officer's interpretation is correct.

4. Request to Insert New Definition of 'Regionally Significant Infrastructure'

Submission Point: FS1258.24 (on Transpower submission point 576.36)
Section 42A Report: Report D0, paragraphs 206 and 224

4.1 Transpower requested insertion of a new definition of 'regionally significant infrastructure', to reflect the definition in the Waikato Regional Policy Statement. Meridian's submission point supported the request, to the extent that any resulting amendments are consistent with Meridian's own submission (for example, in relation to the definition of 'infrastructure' discussed above).

4.2 As explained in paragraph 206 of the section 42A report, the WRPS definition of 'regionally significant infrastructure' includes *infrastructure for the generation and/or conveyance of electricity that is fed into the national grid or a network*. The Reporting Officer's view (explained in paragraph 224) is that the PWDP can give effect to the WRPS without defining the expression 'regionally significant infrastructure':

The PWDP, as notified and as amended in response to submissions, in my opinion appropriately sets out the relationship between enabling the functional and operational needs of infrastructure and protecting high value environments, including historic heritage, and does not need specific provisions for Regionally Significant Infrastructure. In many cases the protection of high value environments manifests in restricted discretionary or

discretionary activity classifications for infrastructure activities where it would be non-complying for other activities.

4.3 The Reporting Officer has, though, recommended insertion of a new policy recognising regionally significant infrastructure, in response to a submission point of Genesis Energy:

6.1.17 Policy- Regionally Significant Infrastructure

a. Have particular regard to the benefits that can be gained from the development and use of regionally significant infrastructure (as defined in the Waikato Regional Policy Statement 2016); and

b. Protect the effectiveness and efficiency of existing and planned regionally significant infrastructure.

4.4 The above policy suggestion references the definition provided in the WRPS (and references the date of the RPS). On that basis, I agree there is no need for a separate definition in the PWDFP. The above proposed policy is helpful in my view.

5. Objective 6.1.1 Benefits of Infrastructure

Submission Point: FS1258.60 (on Transpower submission point 576.73)

Section 42A Report: Report D13, paragraphs 76 - 80

5.1 Transpower's submission point requested insertion of 'upgrading' into Objective 6.1.1 and the Reporting Officer supports that amendment as follows (paragraph 78):

78. I agree that the upgrading of infrastructure should be included in the objective, and that there are wider benefits of infrastructure, including its upgrading, within and beyond the district (see NZTA [742.45] and KiwiRail [986.30] immediately above), but that the objective should refer to "well-being", rather than be restricted or detailed to district, region and nation. Upgrading is essentially a component of operating and maintaining a network. I recommend accepting in part Transpower [576.73], [FSI 266.2] WEL Networks, [FSI 258.60] Meridian Energy, [FSI 345.24] Genesis Energy, [FSI 211.4] First Gas and [FSI 134.3] Counties Power, to the extent of amending the objective; and recommend rejecting [FSI 168.136] Hort NZ as the objective as amended is in my opinion appropriate to be applied to all infrastructure.

5.2 The Reporting Officer recommends the following amendment:

Amend Objective 6.1.1 as follows:

Infrastructure is developed, operated and maintained and upgraded to benefit the enhance social, economic, cultural and environmental well-being of the district.

5.3 I agree with the approach advanced by the Reporting Officer and with his proposed amendments. I agree that it is appropriate to consider wider national and regional benefits alongside benefits to the district.

6. Policy 6.1.2 (a) and Rule 14.3.3: Minor Upgrading

Submission Points: FS1258.18 and FS1258.20 (on Horticulture NZ submission points 419.68 and 419.83)

Section 42A Report: Report D13, paragraphs 103-108
Report D3, paragraph 224

6.1 Horticulture NZ's submission point requested additional text to consider potential impacts of minor upgrading on affected landowners and requested limits on the definition of 'minor upgrading' (discussed above). The Reporting Officer accepts the points made in Meridian's further submission (his paragraphs 102 – 108):

105. Policy 6.1.4 on infrastructure benefits is balanced by Policies 6.1.8, 6.1.9 and 6.1.10 managing environmental impacts. Infrastructure located on private land cannot be located there without approval from the landowner, with easements generally in place for maintenance and access arrangements.

106. Upgrading of infrastructure is addressed by a PWDP definition of "minor upgrading": Minor upgrading of existing infrastructure means an increase in the capacity, efficiency or security of existing infrastructure where this utilises existing structures and networks and/or structures and networks of a similar scale and character.

107. Upgrading is accorded different activity status, depending on whether it is minor or not. Permitted activities include:

Alterations and additions to overhead electricity and telecommunication lines on existing poles or support structures involving any of the following:

- (a) The addition of conductors to form a twinned or duplex pairing;*
- (b) The re-conductoring of the line with higher capacity conductors;*
- (c) The re-sagging of conductors;*
- (d) The addition of longer, more efficient insulators;*
- (e) The addition of earth wires (which may contain telecommunication lines), earth-peaks and lightning rods;*
- (f) The addition, replacement or relocation of transformers;*
- (g) The addition, replacement or relocation of circuits and conductors;*
- (h) The addition or replacement of telecommunication lines and fittings;*
- (i) The replacement of existing crossarms with crossarms of an alternative design;*
- (j) The increase in voltage of electric lines up to 110kV; or*
- (k) The installation of mid-span electricity poles in existing networks to address clearances in New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 (NZECP34:2001)"(PWDP 14.3.1 P2).*

108. I note that the increase in voltage of electric lines up to 110kV is a permitted activity. I recommend rejecting Hort NZ [419.68] and [FS1342.81] FFNZ; and accepting [FS1258.18] Meridian Energy, [FS1350.10] Transpower, [FS1134.4] Counties Power and [FS1266.3] WEL Networks.

6.2 For similar reasons, the Reporting Officer recommends rejecting Horticulture NZ's submission point 419.83 which requests insertion of an additional discretionary matter into Rule 14.3.3, enabling consideration of effects on landowners. The Reporting Officer recommends accepting Meridian's further submission point in this respect (paragraph 224).

6.3 I support that recommendation. In my opinion, the listed considerations in Policy 6.1.2 and in RDA Rule 14.3.3 are already sufficiently comprehensive.

7. Policy 6.1.4 Infrastructure Benefits

Submission Point: 580.25

Section 42A Report: Report D13, paragraphs 144 - 150

6.1.4 Policy – Infrastructure benefits

(a) Have regard to the benefits that infrastructure provides, including:

- i. Enabling enhancement of the quality of life and residential standard for people and communities;*
- ii. Providing for public health and safety;*
- iii. Enabling the functioning of business and growth and development;*
- iv. Managing adverse effects on the environment;*
- v. Enabling the transportation of freight, goods and people;*
- vi. Enabling interaction and communication; and*
- vii. Providing for lifeline utility services.*

7.1 Meridian requested insertion of specific reference in Policy 6.1.4 to the having particular regard to the benefits derived from the use and development of renewable energy. The Reporting Officer considers that there is sufficient consideration of the benefits of renewable energy use and development, separately, in the policies in Section 6.3. At paragraph 147, the Officer states:

147. Policy 6.1.4 includes infrastructure benefits, including (iii) enabling the functioning of business and growth and development and (iv) managing adverse effects on the environment, both enabling renewable energy. Section 6.3 has objectives and policies more specific to renewable energy and I do not see the need to single out renewable electricity generation in this more general policy. I recommend rejecting Meridian Energy [580.25], [FS1266.11] WEL Networks and [FS1134.14] Counties Power, as the new clause is not needed.

7.2 The Officer is correct, that Section 6.3 of the PWDP explicitly addresses renewable energy and the use and development of renewable energy. However, none of the policies there address the particular point Meridian’s submission point makes. None of the Section 6.3 objectives or policies requires particular regard to be given to the benefits to be derived from the use and development of renewable energy (which is the wording adopted in section 7 (j) of the RMA). Policy 6.1.4 specifically addresses the benefits of infrastructure. The policy, appropriately, acknowledges the importance of having regard to benefits as part of the Plan framework and, importantly, ensures that particular regard will be given to benefits in evaluating applications for consent.

7.3 None of the listed considerations in Policy 6.1.4 explicitly addresses the wider national benefits of using and developing renewable energy that are given prominence by section 7 (j) of the RMA and the NPS-REG. Arguably, most of the matters listed in Policy 6.1.4 address very localised interests and values and don’t have the legislative or policy emphasis accorded by the RMA and the NPS-REG to the use and development of renewable energy. For example,

Policy 6.1.4 refers to enhancement of quality of life and residential standard for people, public health and safety, transportation, enabling interaction and communication and providing for lifeline utility services. If those other matters warrant comment, surely the matter of concern in section 7 (j) of the RMA warrants mention.

7.4 In my opinion, the absence of reference in the PWDP to the importance of having regard to the benefits to be derived from the use and development of renewable energy is an omission. As earlier noted, the Reporting Officer has proposed insertion of a wholly new policy (6.1.17) requiring particular regard to be given to the benefits that can be gained from the development and use of regionally significant infrastructure (as defined in the WRPS). The WRPS definition of 'regionally significant infrastructure' includes infrastructure for the generation and/or conveyance of electricity that is fed into the national grid or a network. That definition doesn't particularly distinguish the generation of electricity from renewable energy sources. For this reason, I do not consider that the proposed additional Policy 6.1.17 addresses Meridian's point about having particular regard to the benefits of the use and development of renewable energy. My view is that Policy 6.1.4 is the appropriate place to include reference to having particular regard to the benefits of use and development of renewable energy and that specific mention is warranted by section 7 (j) of the RMA. I support the amendment proposed by Meridian: *'(b) Have particular regard to the benefits that the use and development of renewable energy provide'*.

8. Objective 6.1.6 Reverse Sensitivity

Submission Points: 580.14
FS1258.61 (on Powerco submission point 836.42)
FS1258.62 (on NZTA submission point 742.49)
FS1258.65 (on Horticulture NZ submission point 419.70)

Section 42A Report: Report D13, paragraphs 144 - 150

8.1 Meridian supported Objective 6.1.6 and requested its retention. The Reporting Officer has recommended amendment of the policy to address issues raised in other submissions, as follows:

6.1.6 Objective – ~~Reverse sensitivity Adverse Effects on Infrastructure~~

(a) Infrastructure is protected from reverse sensitivity effects, and ~~infrastructure (including the National Grid)~~ its construction, operation, maintenance repair, replacement and upgrading is not compromised.

8.2 I agree with the Reporting Officer that the above amendments retain the original purpose of Objective 6.1.6 and provide greater clarity about the use and development phases of infrastructure that are to be protected from reverse sensitivity.

8.3 Meridian supported Powerco's submission requesting insertion of reference to regionally significant infrastructure. As earlier noted, the Reporting Officer recommends insertion of a new Policy 6.1.17 requiring regard to be given to the benefits that can be gained from the development and use of regionally significant infrastructure. If Policy 6.1.17 is inserted, I agree there is no need to make separate mention of regionally significant infrastructure in Objective 6.1.6.

8.4 Meridian opposed Horticulture NZ's request to moderate Objective 6.1.6 by managing activities to the extent reasonably possible, rather than to protect infrastructure. The Reporting Officer comments in paragraph 186 that:

186. The NPSET uses this language for the National Grid, but does not provide that much flexibility for other infrastructure. I note that the term "protect" is not used in the NPSET, which refers to "avoiding/reducing/minimising" adverse effects on the National Grid. "Avoid" is not used in the proposed Objective in the PWDP, but is used in the following Policy 6.1.7 to define the extent of protection, qualified by "as far as reasonably practicable", which is similar to the NPSET's "to the extent reasonably possible". Further submitters consider that the submitter's proposed wording does not provide sufficient protection against reverse sensitivity effects. The changes sought are a policy (means to achieve) rather than an objective (outcome).

8.5 As noted above, I support the amendments proposed by the Reporting Officer. It is also relevant that Policy D of the NPS-REG is explicit that 'decision-makers shall, to the extent reasonably possible, manage activities to avoid reverse sensitivity effects on consented and on existing renewable electricity generation activities'. Horticulture NZ's submission point seeks to amend the policy so that the outcome is 'reduction' of reverse sensitivity. The NPS-REG is clear: the objective is to manage activities to *avoid* reverse sensitivity effects. The wording proposed by the Reporting Officer is more accurate and appropriate in this respect, as relates to renewable electricity generation as a form of infrastructure.

9. Policy 6.1.7 Reverse Sensitivity

Submission Points:	580.15 FS1258.63 (on Transpower submission point 576.78) FS1258.65 (on Horticulture NZ submission points 419.71) FS1258.66 (on NZTA submission point 742.50) FS1258.75 (on Federated Farmers NZ submission point 680.82)
Section 42A Report:	Report D13, paragraphs 164 - 194 and 203 – 236

9.1 Meridian supported Policy 6.1.7 and requested its retention. The Reporting Officer has recommended amendment of the policy to address issues raised in other submissions, as follows:

6.1.7 Policy – ~~Reverse sensitivity Adverse Effects on and~~ infrastructure

(a) Avoid reverse sensitivity effects on infrastructure from subdivision, use and development as far as reasonably practicable, ~~and ensure so~~ that ~~the its~~ construction, operation, maintenance, repair, replacement and upgrading the ongoing and efficient operation of infrastructure is not compromised.

9.2 To make sense, I consider the ~~the its~~ in the above suggested wording should revert to ~~the its~~ and that the 'is' should be 'are'. With that exception, I agree with the Reporting Officer that the above amendments retain the original purpose of Policy 6.1.7 and provide greater clarity about the complete scope of use and development of infrastructure that are to be protected from reverse sensitivity.

9.3 Meridian opposed Horticulture NZ's request to delete and replace Policy 6.1.7. At paragraph 215, the Reporting Officer states:

I agree that the Policy should not be restricted to the operation of infrastructure, but should also include construction or development, maintenance repair, replacement and upgrading. The wording of the policy, to "Avoid...as far as reasonably practicable", is a statement of a hierarchical approach to effects management, with avoid as a first priority, followed by remedy and mitigation where avoidance is not reasonably practicable. I support that approach, and consider it is appropriate for a protective type of policy. The NPSET uses this language for the National Grid, but does not provide that much flexibility to other infrastructure. I note that the term "protect" is not used in the NPSET, which refers to "avoiding/reducing/minimising" adverse effects on the National Grid. "Avoid" is not used in the proposed Objective 6.1.6 in the PWDP, but is used in this implementing Policy 6.1.7 to define the extent of protection or effect avoidance, qualified by "as far as reasonably practicable", which is similar to the NPSET's "to the extent reasonably possible". Further submitters consider that the submitter's proposed wording does not provide sufficient protection against reverse sensitivity effects.

9.4 I support the Reporting Officer's recommendation to reject Horticulture NZ's requested amendments. As noted above, Policy D of the NPS-REG is explicit that the objective is, to the extent reasonably possible, the avoidance of reverse sensitivity effects on consented and existing renewable electricity generation activities. Horticulture NZ's objective is 'reduction' of reverse sensitivity and, in my view, that approach would fail to give effect to the NPS-REG.

9.5 Meridian supported NZTA's request to amend Policy 6.1.7 to embrace both existing and planned infrastructure. Meridian also supported Federated Farmers NZ's request to amend refer to 'existing and/or designated' infrastructure. Consistent with the NPS-REG, the management of reverse sensitivity effects must extend to existing and consented renewable electricity generation activities. This submission point is discussed in paragraphs 222, 223 and 236 of Report D13:

222. I do not agree that "Infrastructure" should be changed to "Existing and planned infrastructure". Although the focus is on protection of existing infrastructure, the policy will also apply to infrastructure in the future, whether planned or not. Future infrastructure can be designed to contribute to the management of reverse sensitivity effects. Existing infrastructure is subject to changes and intensification of adjacent land uses, including sensitive activities requiring protection against adverse effects. The second part of the amendment requested is similar to NPSET Policy 10 on reverse sensitivity, which states:

"In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised."

223. I support the additional detail of construction, operation, maintenance repair, replacement and upgrading of infrastructure. Full-scale upgrading of infrastructure may include significant additional adverse effects, which cannot be managed solely by nearby sensitive activities.

...

236. I do not agree that “Infrastructure (including the National Grid)” should be changed to “Existing and/or designated infrastructure”. Although the focus is on protection of existing infrastructure, the policy will also apply to infrastructure in the future, whether planned or not. Designation is a planning technique designed to provide protection to land and proposed infrastructure or public works, and has no useful purpose within this objective. Future infrastructure can be designed to contribute to the management of reverse sensitivity effects. Existing infrastructure is subject to changes and intensification of adjacent land uses, including sensitive activities requiring protection against adverse effects. The extent of protection is described in Policy 6.1.7.

9.6 The discussion overlooks the direction given by Policy D of the NPS-REG to manage activities to avoid reverse sensitivity effects on existing *and consented* renewable electricity generation facilities. Meridian’s support for NZTA’s submission point was addressing this aspect of ‘planned’ infrastructure (that is, infrastructure that is not yet built (not yet ‘existing’) but has consent). In my opinion this is supported by (or even required by) Policy D of the NPS-REG and I would support an amendment that made this clear. For example, in the amended Policy 6.1.7 recommended by the Reporting Officer, that could be worded as follows (my suggestions are in blue):

6.1.7 Policy – ~~Reverse sensitivity Adverse Effects on and~~ infrastructure

(a) Avoid reverse sensitivity effects on existing and authorised infrastructure from subdivision, use and development as far as reasonably practicable, and ensure so that the construction, operation, maintenance, repair, replacement and upgrading the ongoing and efficient operation of infrastructure is are not compromised.

10. Objective 6.1.8 Infrastructure in the Community and Identified Areas

Submission Point: FS1258.67 (on Horticulture NZ submission point 419.72)
Section 42A Report: Report D13, paragraphs 257 - 259

10.1 Objective 6.1.8 is: ‘Infrastructure takes into account the qualities and characteristics of surrounding environments and community well-being’. Meridian opposed Horticulture NZ’s request to refer to ‘land use’ alongside the qualities and characteristics of surrounding environments. I agree with the Reporting Officer’s analysis (in paragraph 259) that land uses are a component of the qualities and characteristics of the surrounding environment and. I agree that the additional words are superfluous and do not need to be added.

11. Rule 14.3.1.1 (1) (a), (b) and (c): Minor Upgrading Thresholds

Submission Points: 580.4
FS1258.19 (on Horticulture NZ submission point 419.81)
FS1258.80 (on Federated Farmers NZ submission point 680.280)
Section 42A Report: Report D3, paragraphs 45 - 52

11.1 Meridian requested that the threshold distance for shifting existing assets be increased from 5m to 100m and that the limit on the increase in height be increased from 15% to 50%. The Reporting Officer agrees that the rule thresholds are overly restrictive and recommends increasing the height limit but does not agree that the distance limit should be increased:

48. I agree that the Minor Upgrading of Existing Infrastructure provisions are overly restrictive, particularly since there may be little point in increasing the diameter of a smaller pipe by only 15%, and poles require adequate area for strength. However, there should be limits where a potential effect may require resource consent assessment or where a landowner may be affected, and particularly for moving the location of infrastructure or increasing the area of a structure. Within the scope of the amendments requested by the submission, I recommend no change to the location/alignment flexibility, but support allowances for poles as follows:

- (a) Are within 5m of the existing alignment or location;
- (b) Do not increase the height of any existing pole or support structure by more than 15%; 40% to a maximum height of 20m in all zones except the Rural Zone, Industrial Zone, Industrial Zone Heavy and Motor Sport and Recreation Zone;
- (c) Do not increase the diameter (width) of any existing pole or support structure by more than 15% 50% or 100% increase in the case of a double pole in all zones;...

11.2 In the context of the scale of a large-scale wind farm, a distance limit of 5m is unduly restrictive. The need to shift turbines may result from installing larger turbine blades that require increased separation between individual turbines to optimise generation capacity. Any upgrading will be in the context where the sound power effects of individual turbines are limited by the terms of conditions (and these conditions would continue to prevail). The potential for changed noise effects are thereby already controlled. The Officer's concern about the potential for creating new adverse effects on adjoining properties or landowners could be addressed by also requiring compliance with a minimum setback distance from site boundaries. I support Meridian's request for a standard that allows a location shift of up to 100m and allows an increase in height of +50%. It is not clear why this allowance would not apply in the Rural Zone. The wording proposed by the Reporting Officer would not set any limit in the Rural Zone. This would be exactly the zone where such allowance would be appropriate.

12. Rules 14.5.1.3 and 14.5.2 Setbacks for Buildings for Sensitive Land Uses

Submission Points: FS1258.81 and FS1258.82 (on Federated Farmers NZ submission points 680.290 and 690.292)
Section 42A Report: Report D5, paragraphs 30 – 33 and 53 - 55

12.1 Rules 14.5.1.3 and 14.5.2 prescribe the standards for the setback from overhead transmission lines of buildings for sensitive land uses. Federated Farmers NZ requested that buildings in the Rural Zone be exempt from the setback requirement. Meridian's further submission points in respect of these submission points were neutral but highlighted the request in Meridian's own submission for a similar setback provision from wind turbines. That request is being addressed in the Rural Zone Hearing (Hearing # 18).

12.2 The Reporting Officer does not consider any exemption should be provided, on the basis explained in paragraph 33 of Report D5:

33. I agree that the electrical distribution network needs protection against reverse sensitivity effects and needs to manage its effects on sensitive land uses. Rule 14.5.1.3 P5 setbacks assist

in ensuring that will occur. The PWDP objectives enable the operation of network utilities and managing reverse sensitivity. Sensitive activities can occur within the Rural Zone. RD2 provides scope for sensitive activities, closer than those permitted activity setbacks, to be assessed and consented where warranted. I recommend rejecting FFNZ [680.290]; accepting in part FS1258.81 Meridian Energy, to the extent that it is concerned with setbacks of sensitive land uses.

12.3 The Reporting Officer also notes (in paragraph 53) that the Waikato RPS and PWDP objectives on reverse sensitivity and enabling operation of network utilities, support the use of setback provisions for sensitive activities.

12.4 I agree with the Reporting Officer's reasoning and the recommendation to reject the requested exemption. Setback distances of this type are important for avoiding adverse reverse sensitivity effects on lawfully established infrastructure. Retention of the setback requirement gives effect to the PWDP Chapter 6 policy framework for reverse sensitivity. An exemption would not.

13. Rule 14.6.2 Restricted Discretionary Activities

**Submission Points: FS1258.27 (on DOC submission point 585.11)
FS1258.28 (Heritage NZ's submission point 559.163)**
Section 42A Report: Report D6, paragraphs 51 - 56

13.1 Rule 14.6.2 provides for small-scale electricity generation, community-scale electricity generation, research and exploratory-scale investigations for renewable electricity as RDAs. Discretion is restricted to:

- The functional and operational needs of, and benefits derived from, the infrastructure;*
- (b) Visual, landscape, streetscape and amenity effects, including noise;*
- (c) Shadow flicker effects;*
- (d) The risk of hazards affecting public or individual safety, and risk of property damage;*
- (e) Effects on the values, qualities and characteristics of any Identified Area.*

13.2 DOC's submission point requested the insertion of additional discretionary matters to address the adverse effects of wind farms. The Reporting Officer agrees with Meridian's point that it is not clear what additional discretionary matters are needed and recommends rejecting the submission point (and accepting Meridian's). The Officer states (paragraph 52):

53. As identified in the FS1258.27 Meridian Energy further submission, the list of matters of discretion is reasonably comprehensive and includes effects on the values, qualities and characteristics of any Identified Area. I note that "Identified Areas" encompasses a range of Section 6 matters such as Outstanding Natural Landscapes and Features, Significant Natural Area, Historic Heritage and Maaori Areas and Sites of Significance. It is not possible to identify the values of each of these as matters of discretion. In any case, the reference to "effects on the values" as a matter of discretion will ensure the special values are considered. The submitter may wish to identify the matters which have been omitted. I recommend rejecting Department of Conservation [585.11]; accepting FS1258.27 Meridian Energy for information, although "support" or "oppose" is not stated.

13.3 I support that recommendation. In my opinion, and in the absence of any detailed suggestions in the submission, the list of discretionary matters comprehensively addresses the potential adverse effects.

13.4 Heritage NZ's submission point seeks a more stringent (discretionary) activity status for activities in identified areas that do not comply with permitted activity standards. In my opinion, the restricted discretionary activity status proposed by the PWDP is appropriate and will afford a full opportunity to consider the relevant potential adverse effects. The other point I would make about a restricted discretionary activity rule is that it allows consideration of only the listed discretionary matters and does not allow consideration of wider benefits. In this sense, it is much more restrictive than a discretionary activity and focuses the assessment, generally, only on adverse effects and enables a consent authority to decline consent if that is warranted in particular circumstances. For these rules (RD1 – RD3), the listed discretionary matters also include consideration of functional and operational need. The list doesn't include the wider benefits of renewable electricity generation. My view is that the listed matters are appropriate and sufficient and properly give effect to the intended policy framework of this Plan. I support the officer's recommendation.

14. Rules 14.6.1.2, 14.8.1.1 (a) (ii) and 14.8.1.2 (a) Provision for Wind Investigation Structures

Submission Point: 580.5, 580.8 and 580.9
FS1258.91 (on WEL Networks submission point 692.20)

Section 42A Report: Report D6, paragraphs 42 – 47
Report D8, paragraphs 8, 9 and 17

14.1 Rule 14.6.1.2 sets the height limit for permitted activity research and exploratory-scale investigations for renewable electricity generation at 3m. Rule 14.8.1.1 (a) (ii) sets the height limit for permitted activity meteorological buildings and automated weather stations at the height limit for the relevant zone (e.g. for the Rural Zone that is a maximum height of 10m under Rule 22.3.4.1 P1). Meridian's submission requested that limit be increased to 80m. The Reporting Officer considers that, under Rule 14.1.6.2, the maximum height in the Rural Zone should be increased to the height he has recommended for supporting poles (20m) as follows:

(a) Research and exploratory-scale investigations for renewable electricity generation activities that comply with all of the following:

(i) The noise limits that are applicable to the zone;

(ii) The height of any equipment must not exceed the building height limit of the zone in which they are located by more than 3m, or within the Rural Zone must not exceed 20m total height;¹⁰

(iii) The size and location of any equipment must not exceed height in relation to boundary relevant to the zone in which it is located; and

(iv) Setbacks relevant to the zone in which it is located;

(v) Is not located within an identified area;

(vi) Is not located on a road, or unformed road.

- 14.2 The submission by WEL Networks requests a 20m height limit in the Rural Zone.
- 14.3 In paragraphs 9 and 17 of report D8, the Reporting Officer recommends no change to the height limit for meteorological masts:

I recommend rejecting Meridian Energy [580.8], as a meteorological measurement mast of up to 12 metres in height is considered an appropriate level for a permitted activity effect. Taller masts, such as the 80m suggested by the submitter and needed for wind-farm feasibility research, are possible, but I consider it is appropriate that the effects be assessed through a resource consent process.

- 14.4 The reality is that, to provide meaningful environmental information, meteorological measurement masts need to be as high as the wind turbines intended to use the wind resource. That is a good deal higher than 20m. The turbines within the Te Uku wind farm are 80m high. In the context of a large-scale wind farm site in the Rural Zone, and given the other limits of Rule 14.6.1.2 (which I support), the potential adverse effects of such structures will be less than minor. In particular, the limit on height in relation to boundary will ensure that any tall meteorological mast is located far from any boundaries. The relevant height in relation to boundary rule is Rule 22.3.5 (a plane created by an angle of 37° from a point 2.5m above the boundary).

- 14.5 To be useful, meteorological monitoring masts must be on high points. They will, of necessity, be visible. However, it is unlikely that there will be a proliferation of these structures. They are expensive to install and of necessity target only wind energy resources of genuine interest. Also, the other restrictions of the rules will ensure that they are located distant from adjoining properties. If they are closer than allowable under the height in relation to boundary standard, they will require consent which I consider is a reasonable approach. I accept that the rule is trying to enable the installation of exploratory monitoring equipment. However, with the 3m and even 20m height limits proposed, it doesn't provide practically enable these at all but, instead, inevitably requires RDA consent for them. That is not an appropriate approach, in my view. Exploratory equipment is essential and the rule needs to be practicable, to match their functional and operational need, as intended by the proposed policy framework. I support Meridian's requested amendments and note that other Plans provide for investigation structures, as permitted activities, subject to more realistic standards, recognising that their locations are generally remote.

15. Rule 14.6.3 (a) D1: Discretionary Activity Provision for Large-Scale Wind Farms

Submission Points: 580.6 and 580.7
Section 42A Report: Report D6, paragraphs 59 and 60

- 15.1 Submission point 580.6 supports the proposed discretionary activity rule for large-scale wind farms. The Reporting Officer's recommendation is to accept this submission point.
- 15.2 Submission point 580.7 requests insertion into the rule of a standard or note clarifying that noise effects will be assessed in accordance with NZS6808:2010. This submission point is not addressed in the section 42A reports for this hearing but was addressed in paragraph 306 of the section 42A report to Hearing #2 as follows:

The submission from Meridian Energy Ltd [580.7] seeks an amendment to the PWDP to add reference to NZS 6808:2010 as the accepted industry-specific standard applicable for the measurement of large-scale wind farms. Permitted activity condition 14.6.1.1 (k)(ii) of the PWDP, for small and community scale electricity generation, states that wind turbine noise must be measured and assessed in accordance with NZS6808:2010 Acoustics – Wind Farm Noise. Large scale windfarms are listed as a discretionary activity within the Rural Zone and a non-complying activity within other zones. In my view the reference to NZS6808:2010 in the permitted activity rule makes it clear that wind turbine noise regardless of the scale of the windfarm is to be measured in accordance with that standard. I therefore consider that the PWDP sufficiently addresses the concerns by the submitter regarding the inclusion of Standard NZS6808:2010 and no changes are necessary to the PWDP.

15.3 It is appropriate to consider Meridian’s submission point at Hearing #22 because it relates directly to Chapter 14 rules.

15.4 I take a different view from the view expressed in the above section 42A excerpt: Rule 14.6.3 (a) D1 is not a ‘default’ rule that picks up activities non-compliant with permitted activity Rule 14.6.1.1 referred to in the above excerpt. Rule 14.6.1.1 provides, as a permitted activity, for other scales of wind farm and, intentionally, not for large-scale wind farms. Rule 14.6.3 (a) D1 is a stand-alone rule explicitly and only for large-scale wind farms. The fact that the relevant standard is referenced in the permitted activity rule only highlights its absence as an omission from the discretionary activity rule.

15.5 My view is that, in practice nowadays, it is almost certain that the noise effects of wind turbines will be assessed in accordance with the standard that has been developed explicitly for this purpose and endorsed by the Courts for use in determining wind turbine noise. However, there are occasions when opponents of large-scale wind farms seek to use other methods, invariably unsuccessfully, to argue their concerns about turbine noise. My point is that, given that NZS6808:2010 is widely accepted as the appropriate methodology for assessing wind turbine noise, it would be appropriate for the Plan to acknowledge this and avoid unnecessary future litigation about inferior or inappropriate methodologies. The Plan already does this, in respect of the permitted activities (so the value and exclusivity of NZS6808:2010 appears to be accepted).

15.6 In my opinion, it would be constructive if the Plan could expressly state that this standard will be relied upon as the appropriate methodology for assessing wind turbine noise. I am not suggesting that the rule should include a fixed noise limit (as this must be determined for individual sites in accordance with the methodology of the standard). It could be achieved by inserting a standard the prescribes (similar to that for the permitted activity rule) that note this practice is accepted, the Plan should make it clear that ‘*Wind turbine noise must be measured and assessed in accordance with NZS6808:2010 Acoustics – Wind Farm Noise*’.

16. Rule 14.6.4: Non-Complying Activities

Submission Point: FS1258.83 (on Waikato DC's submission point 697.28)
Section 42A Report: Report D6, paragraphs 65 - 68

16.1 WDC requested amendments to Rule 14.6.4 (non-complying activities) to attempt to clarify where the rule applies. Meridian opposed submission point 697.28 (although that is not acknowledged in Report D6). Meridian's concern was that the proposed amendments don't actually provide the clarity needed. Meridian's further submission point explains: *'The second part of the suggested amendment could be read as applying, either, to a 'large-scale wind farm located within the Rural Zone' and to a 'large-scale wind farm located within an Identified Area'. If the intention is that the non-complying activity rule apply to any 'large-scale wind farm in the Rural Zone that is located within an identified area', the rule should say that. Also, the rule doesn't provide certainty in the absence of a definition of 'Identified Area'.*

16.2 The Reporting Officer recommends (at paragraph 70) that the Rule be amended to read:

NC1	Large-scale wind farms not located within in a zone other than the Rural Zone _z including within an Identified Area.
NC2	Large-scale wind farms located within the Rural Zone and within an Identified Area

16.3 In my opinion, the proposed wording is confusing. The Reporting Officer explains (in paragraph 67) that the intention is that large-scale wind farms are to be a non-complying activity (1) in all zones except the Rural Zone and (2) within an identified area in the Rural Zone. I agree that the proposed amendment to NC1 now makes the intention clear for the Rural Zone. However, the proposed amendment to NC2, as proposed above is still confusing. I understand that Meridian takes no issue with the intention. I suggest that, to give effect to that intention, the following would assist:

NC1	Large-scale wind farms not located within in a zone other than the Rural Zone _z including within an Identified Area.
NC2	Large-scale wind farms located within any Identified Area in the Rural Zone and within an Identified Area

17. Rule 14.8.3: Discretionary Activity Provision for Non-Compliant Meteorological Facilities

Submission Point: FS1258.85 (on Waikato DC's submission point 697.36)
Section 42A Report: Report D8, paragraphs 34 - 36

17.1 The PWDP provides no default rule for meteorological facilities that fail to comply with permitted activity standards. WDC's submission point proposes a discretionary activity default rule. Meridian's further submission point opposes the proposed activity status and requests that the default rule be made a restricted discretionary activity.

17.2 The Reporting Officer recommends a discretionary activity rule, for the reasons explained in paragraph 36:

36. The RMA applies a default status of discretionary activity where the activity is not otherwise classified, unless there is a rule in the plan stating otherwise. Rules 14.2.3 and 14.2.4 make unspecified infrastructure activities discretionary or non-complying depending on whether they are located within an Identified Area. I recommend accepting the submission from Waikato District Council [697.36] as completing the activity cascade, and therefore rejecting the further submission from Meridian Energy [FS1258.85].

17.3 I do not agree that full discretionary activity status is necessary. Elsewhere in the PWDP, the default activity status for non-compliance with permitted activity standards is restricted discretionary activity. For example, Rule 14.6.2 provides for small-scale and community-scale electricity generation and research and exploratory-scale investigations for renewable electricity generation that do not comply with permitted activity standards as a restricted discretionary activity. In my opinion, this is a more relevant comparison than the default position of the RMA. Non-compliant meteorological facilities are conceptually similar to the activities provided for by RDA Rule 14.6.2. In my opinion, adoption of the RDA activity status in that rule reinforces the validity of RDA activity status for meteorological facilities that fail to comply with standards and would establish equivalence and consistency between the Plan rules. I do not consider that the discretionary activity status proposed would achieve internal Plan consistency. I would also suggest that the restricted matters in Rule 14.6.2 would also be relevant for non-compliant meteorological facilities.

18. Plan Maps – Requested Addition of Walking Trails

Submission Point: FS1258.71 (on Whaingaroa EDS submission point 780.37)
Section 42A Report: Report D12A, paragraphs 26 – 33

18.1 Meridian opposed the request made in submission point 780.37 to add walking tracks and trails to the planning maps, because there was insufficient information supplied in the submission to determine where the proposed tracks and trails are or to assess the impact of the request. The Reporting Officer agrees and, at paragraph 30, states:

I agree with Meridian Energy that there is insufficient information provided to support these requests, and it may be possible to give some further consideration in response to evidence from submitters. However, the indicative trails trigger a subdivision consent and as such any additional trails must be considered against this requirement. Introducing new indicative trails to the PWDP without the opportunity for affected persons to make submissions would be against natural justice and therefore is not supported. It would be appropriate to include supported additional trails within a plan change, as that would be notified directly to affected landowners. I therefore recommend that submissions seeking additional trails be rejected.

18.2 I endorse the Reporting Officer's recommendation, in the absence of any detail about where or to what standard the mooted tracks and trails would be.

19. Summary of Recommended Amendments to Respond to Meridian Submission Points

19.1 I bring together in the following table the amendments I recommend in the foregoing sections, to respond to Meridian’s submission and further submission points:

	Officer’s Recommendation	C Foster Recommendation
Definition of ‘Infrastructure’	No change	Insert clarification into the definition that the meaning is as explained by the Reporting Officer. That is, that in relation to large-scale wind farms, the definition includes the buildings, structures and plant, and access tracks and other ancillary activities necessary to support the wind farm.
Definition of ‘Minor Upgrading’	No change	As above - insert clarification into the definition that the meaning is as explained by the Reporting Officer, that in relation to large-scale wind farms, the definition includes the buildings, structures and plant, and access tracks and other ancillary activities necessary to support the wind farm.
Proposed New Policy 6.1.17 (Regionally Significant Infrastructure)	<p>6.1.17 Policy- Regionally Significant Infrastructure</p> <p>a. <i>Have particular regard to the benefits that can be gained from the development and use of regionally significant infrastructure (as defined in the Waikato Regional Policy Statement 2016); and</i></p> <p>b. <i>Protect the effectiveness and efficiency of existing and planned regionally significant infrastructure.</i></p>	I support the proposed additional policy.
Objective 6.1.1	<p><i>Amend as follows:</i></p> <p><i>Infrastructure is developed, operated and maintained <u>and upgraded</u> to benefit the enhance social, economic, cultural and environmental well-being <u>of the district</u>.</i></p>	I support the proposed amendments.
Policy 6.1.4		<p>Insert (b) as follows:</p> <p><i>(b) Have particular regard to the benefits that the use and</i></p>

	Officer's Recommendation	C Foster Recommendation
		development of renewable energy provide'.
Objective 6.1.6	<p>Amend as follows: <u>Reverse sensitivity Adverse Effects on Infrastructure</u> (a) Infrastructure is protected from reverse sensitivity effects, and infrastructure (including the National Grid) its construction, operation, maintenance repair, replacement and upgrading is not compromised.</p>	I support the proposed amendments.
Policy 6.1.7	<p><u>Reverse sensitivity Adverse Effects on and infrastructure</u> (a) Avoid reverse sensitivity effects on infrastructure from subdivision, use and development as far as reasonably practicable, <u>and ensure so that the its construction, operation, maintenance, repair, replacement and upgrading the ongoing and efficient operation of infrastructure is</u> not compromised.</p>	<p><u>Reverse sensitivity Adverse Effects on and infrastructure</u> (a) Avoid reverse sensitivity effects on <u>existing and authorised</u> infrastructure from subdivision, use and development as far as reasonably practicable, <u>and ensure so that the construction, operation, maintenance, repair, replacement and upgrading the ongoing and efficient operation of infrastructure is</u> <u>are</u> not compromised.</p>
Rule 14.1.6.2	<p>(a) Research and exploratory-scale investigations for renewable electricity generation activities that comply with all of the following: (i) The noise limits that are applicable to the zone; (ii) The height of any equipment must not exceed the building height limit of the zone in which they are located by more than 3m, <u>or within the Rural Zone must not exceed 20m total height;</u> (iii) The size and location of any equipment must not exceed height in relation to boundary relevant to the zone in which it is located; and (iv) Setbacks relevant to the zone in which it is located; (v) Is not located within an identified area;</p>	<p>(a) Research and exploratory-scale investigations for renewable electricity generation activities that comply with all of the following: (i) The noise limits that are applicable to the zone; (ii) The height of any equipment must not exceed the building height limit of the zone in which they are located by more than 3m, <u>or within the Rural Zone must not exceed 20m 80m total height;</u> (iii) The size and location of any equipment must not exceed height in relation to boundary relevant to the zone in which it is located; and (iv) Setbacks relevant to the zone in which it is located; (v) Is not located within an identified area;</p>

	Officer's Recommendation	C Foster Recommendation
	<i>(vi) Is not located on a road, or unformed road.</i>	<i>(vi) Is not located on a road, or unformed road.</i>
Rule 14.3.1.1 (1) Minor Upgrading, Standards (a), (b), (c)	<p>a) Are within 5m of the existing alignment or location;</p> <p>(b) Do not increase the height of any existing pole or support structure by more than 15% <u>40% to a maximum height of 20m in all zones except the Rural Zone, Industrial Zone, Industrial Zone Heavy and Motor Sport and Recreation Zone;</u></p> <p>(c) Do not increase the diameter (width) of any existing pole or support structure by more than 15% <u>50% or 100% increase in the case of a double pole in all zones;</u>...</p>	<p>a) Are within 5m <u>100m</u> of the existing alignment or location;</p> <p>(b) Do not increase the height of any existing pole or support structure by more than 15% <u>40 50% to a maximum height of 20m in all zones except the Rural Zone, Industrial Zone, Industrial Zone Heavy and Motor Sport and Recreation Zone;</u></p> <p>(c) Do not increase the diameter (width) of any existing pole or support structure by more than 15% <u>50% or 100% increase in the case of a double pole in all zones;</u>...</p>
Rule 14.6.3 (a) D1	No change	Insert into the rule clarification or a standard that 'Wind turbine noise must be measured and assessed in accordance with NZS6808:2010 Acoustics – Wind Farm Noise'.
Rule 14.6.4	<u>NC2: Large-scale wind farms located within the Rural Zone and within an Identified Area</u>	<u>NC2: Large-scale wind farms located within any Identified Area in the Rural Zone and within an Identified Area</u>
Rule 14.8.3	Discretionary Activity provision for non-compliant meteorological facilities	Replace the proposed Discretionary Activity provision with <u>Restricted Discretionary Activity</u> provision (in Rule 14.6) for non-compliant meteorological facilities, adopting the same or similar restricted discretionary matters as set out in Rule 14.6.2.

Christine Foster
28 September 2020