



# Supplementary Document

TELEPHONE 0800 327 646 | WEBSITE [WWW.FEDFARM](http://WWW.FEDFARM)

---

For the: Kapiti Coast District Plan Hearing Panel

Regarding the: Network Utilities hearing

Date: 4 August 2016

Provided by: Federated Farmers of New Zealand

**Ms. RHEA DASENT**

SENIOR POLICY ADVISOR

Federated Farmers of New Zealand

PO Box 715, Wellington 6140

P 021 501 817

E [rdasent@fedfarm.org.nz](mailto:rdasent@fedfarm.org.nz)

Comparison of Network Utilities provisions from proposed, as sought by Federated Farmers submission, and Section 42a Report recommendations.

Proposed	Federated Farmers submission	Section 42a Recommendation	Federated Farmers position at hearing
<b>Policies</b>			
<p><b>Policy 11.2 Reverse Sensitivity</b></p> <p><i>Subdivision, land use and development will avoid, as far as reasonably practicable, any adverse effects on infrastructure by ensuring that:</i></p> <ul style="list-style-type: none"> <li>a) <i>current and future infrastructure corridors are identified and considered in all resource management decision-making;</i></li> <li>b) <i>change to existing activities does not increase their incompatibility with existing infrastructure;</i></li> <li>c) <i>safe separation distance are maintained when establishing rules and considering applications for subdivision, buildings, structures and other activities near overhead electric lines and conductors, e.g. giving effect to the National Policy Statement for Electricity Transmission;</i></li> <li>d) <i>safe separation distances are maintained when establishing rules and considering applications for subdivision, buildings, structures and other</i></li> </ul>	<p>Delete, for reasons that it will apply to rural subdivision, buildings and structures that do not create reverse sensitivity issues.</p>	<p><b>Policy 11.2 Reverse Sensitivity</b></p> <p><del><i>Subdivision, land use and development will avoid, as far as reasonably practicable, any adverse effects</i></del> <u><i>reverse sensitivity effects on infrastructure from subdivision, land use and development will be avoided as far as reasonably practical by ensuring that:</i></u></p> <ul style="list-style-type: none"> <li>a) <i>current and future infrastructure corridors are identified and effects upon these corridors from subdivision, land use and development are considered in all resource management decision-making;</i></li> <li>b) <i>change to existing activities does not increase their incompatibility with existing infrastructure;</i></li> <li>c) <u><i>The establishment of, or changes to, sensitive activities, and incompatible buildings and structures within the National Grid Yard is avoided and subdivision within the National Grid Yard is appropriately restricted</i></u></li> <li><del>d) <i>safe separation distance are maintained when establishing</i></del></li> </ul>	<p>Support the amendments to (c) which focus on sensitive and incompatible activities, rather than all activities.</p> <p>The policy should reflect that only some inappropriate activities can impact on infrastructure, and also that sensitive activities are not completely avoided, but can apply for resource consent.</p> <p>Subdivision can occur, and rural lots for farming use will not have the same compromising effect as a dense urban subdivision.</p> <p><del><i>Subdivision, land use and development will avoid, as far as reasonably practicable, any adverse effects</i></del> <u><i>reverse sensitivity effects on infrastructure from inappropriate subdivision, land use and development will be avoided as far as reasonably practical by ensuring that:</i></u></p> <ul style="list-style-type: none"> <li>c) <i>The establishment of, or changes to, sensitive activities, and incompatible buildings and structures within the National Grid Yard is <del>avoided-managed</del>, and subdivision within the</i></li> </ul>

<p>activities near transmission gas pipelines;</p> <p>e) safe separation distances are maintained when establishing rules and considering applications near telecommunications facilities;</p> <p>f) any planting does not prevent the operation of existing infrastructure;</p> <p>g) all parties are aware of constraints under other regulations, including the Electricity (Hazards from Trees) Regulations 2003, Section 6.4.4 External Interference Prevention of NZS/AS 2885 Pipelines – Gas and Liquid Petroleum, NZS 5258:2993 Gas Distribution Network, New Zealand Code of Practice for Electrical Safe Distances (NZECP 34:2001).</p>		<p><del>rules and considering applications for subdivision, buildings, structures and other activities near overhead electric lines and conductors, e.g. giving effect to the National Policy Statement for Electricity Transmission;</del></p> <p>e) safe separation distances are maintained <del>when establishing rules and considering applications for subdivision, buildings, structures and other activities near gas transmission gas-pipelines and</del> <u>telecommunications facilities;</u></p> <p>f) <del>safe separation distances are maintained when establishing rules and considering applications near</del> <u>telecommunications facilities;</u></p> <p>g) any planting does not prevent the operation of existing infrastructure;</p> <p>g) all parties are aware of constraints under other regulations, including the Electricity (Hazards from Trees) Regulations 2003, <del>Section 6.4.4 External Interference Prevention of NZS/AS 2885 Pipelines – Gas and Liquid Petroleum, NZS 5258:2993 Gas Distribution Network,</del> <u>and the New Zealand Code of Practice for Electrical Safe Distances (NZECP 34:2001).</u></p> <p>i) <u>suitable standards are in place adjacent to the transport</u></p>	<p>National Grid Yard is appropriately <del>restricted</del> <u>managed so subsequent land use does not compromise the operation or maintenance of the National Grid.</u></p>
---	--	--	---

		<u>network (including railways).</u>	
<p><b>Policy 11.13 – High Voltage Transmission and High Pressure Gas Lines</b></p> <p><i>When considering subdivision and the construction of buildings or structures adjacent to high voltage (110 and 220 kV) electricity transmission lines or high pressure gas pipelines, the following will be taken into account:</i></p> <p>a) <i>the extent to which the subdivision, building or structure may restrict or inhibit the operation, access, maintenance or upgrading of the utility infrastructure or support structures;</i></p> <p>b) <i>the potential cumulative effect of subdivision, buildings or structures which may restrict the operation, access, maintenance, or upgrading of the utility infrastructure or support structures;</i></p> <p>c) <i>the nature of the subdivision, buildings or activities which may occur in proximity to the utility infrastructure and the number of persons likely to visit or work within the area and the extent to which they are potentially susceptible to harm from lines, pipes or support structures in the likely event of emergency or infrastructure damage.</i></p>	<ul style="list-style-type: none"> <li>• That Policy 11.13 is deleted, and</li> <li>• That high pressure gas lines are totally separated from any provisions intended to give effect to the National Policy Statement for Electricity Transmission.</li> <li>• That any provisions apply to the National Grid only, and not to any other transmission lines.</li> </ul>	<p><b>Policy 11.22-13 – National Grid High voltage and high pressure gas transmission lines</b></p> <p><i>When considering subdivision and the construction of buildings or structures adjacent to <u>National Grid high voltage (110 and 220 kV) electricity transmission lines or high pressure gas pipelines, the following will be taken into account:</u></i></p> <p>a) <i>the extent to which the subdivision, building or structure may restrict or inhibit the operation, access, maintenance or upgrading of the utility infrastructure or support structures;</i></p> <p>b) <i>the potential cumulative effect of subdivision, buildings or structures which may restrict the operation, access, maintenance, or upgrading of the utility infrastructure or support structures;</i></p> <p>c) <i>the nature of the subdivision, buildings or activities which may occur in proximity to the utility infrastructure and the number of persons likely to</i></p>	<ul style="list-style-type: none"> <li>• Delete in favour of Policy 11.2.</li> <li>• That high pressure gas lines are totally separated from the National Grid and any provisions intended to give effect to the National Policy Statement for Electricity Transmission.</li> <li>• That any provisions are consistent with policies 10 and 11 of NPSET.</li> </ul>

		visit or work within the area and the extent to which they are potentially susceptible to harm from lines, pipes or support structures in the likely event of <u>an</u> emergency or <u>an</u> infrastructure <del>damage</del> <u>fault</u> .	
<b>Rules for Network Utilities activities</b>			
<p><b>PA Rule 11A.1.4</b></p> <p><i>The operation, maintenance, repair, replacement or removal of any existing network utility.</i></p> <p>1. <i>The network utility is in existence as at 29 November 2012</i></p>	<ul style="list-style-type: none"> <li>That Replacement of a utility is not a permitted activity as it has the potential for more than minor adverse effects on landowners.</li> </ul>	<p><b>PA Rule 11A.1.3.</b></p> <p><i>The operation, maintenance, repair, replacement or removal of any existing network utility.</i></p> <p><del>2. The network utility is in existence as at 29 November 2012</del></p> <p><u><i>Note: The Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009 apply to the existing National Grid and to all transmission lines that were in existence on 14 January 2010.</i></u></p>	Same as original submission.
<p><b>PA Rule 11A.1.5. Upgrading</b></p> <p><i>For any existing network utility:</i></p> <p>a) <i>Minor upgrading of any electricity and telecommunication line;</i></p> <p>b) <i>The upgrading of all other network utilities, excluding:</i></p>	<ul style="list-style-type: none"> <li>Upgrading and minor upgrading activities have a discretionary status as they have potential for more than minor adverse effects on landowners.</li> <li>Amendments to definition of</li> </ul>	<p><b>PA Rule 11A.1.5. Upgrading</b></p> <p><i>For any existing network utility:</i></p> <p>a) <i>Minor upgrading of any electricity and telecommunication line;</i></p> <p>b) <i>The upgrading of all other network utilities, excluding:</i></p>	Same as our original submission.

<p>i. Electricity transmission lines above 110kV (100MVA capacity);</p> <p>ii. Gas distribution pipelines at a pressure exceeding 2000 kilopascals.</p>	<p>minor upgrading.</p>	<p>i. Electricity transmission lines above 110kV (<del>100MVA capacity</del>);</p> <p>ii. Gas distribution pipelines at a pressure exceeding 2000 kilopascals.</p>	
<p><b>National Grid Yard Rules</b></p>			
<p><b>Rule 11A.3.2 Subdivision</b></p> <p><i>Subdivision of land in any zone within 20 metres either side of the centre-line of high voltage transmission lines designed to operate at or over 110kV (100MVA capacity).</i></p>	<p>Delete</p>	<p>See separate table below</p>	
<p><b>Rule 11A.4.2 Buildings</b></p> <p><i>Addition or construction of any building (excluding accessory buildings) or structure within 20 metres each side of the centreline of high voltage transmission lines designed to operate at or over 110kV (100MVA capacity).</i></p>	<p>Delete</p>		

## National Grid Yard Provisions from the Section 42a Report, with Federated Farmers amendments sought.

### 11C.1. Permitted Activities

The following activities listed in the table below are **permitted** activities, provided that they comply with all corresponding permitted activity standards and all relevant permitted activity standards in other chapters (unless otherwise specified).

#### Permitted Activities

#### Standards

1. Activities, buildings and structures located within the National Grid Yard, identified as a permitted activity under Rule 11C.1

#### General Permitted activity standards

Buildings and structures within any National Grid Yard shall:

1. provide a minimum vertical clearance distance of 10 metres below the lowest point of the conductor associated with a National Grid line shown on the Planning Maps; or
2. ~~demonstrate compliance~~ Comply with Sections 2 and 3 of NZECP34:2001.

#### Advice notes

Please contact Transpower or a suitably qualified engineer for assistance with clearance requirements in NZECP 34:2001.

Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Vegetation to be planted within the National Grid Yard as shown on the District Plan Maps should be selected and/or managed to ensure that it will

not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting **near** any electricity line especially works within the transmission corridor; contact the relevant network utility operator.

2. Within the National Grid Yard on any site and within any zone:

- Network Utilities,
- Fences
- Internal alterations and additions to existing buildings for sensitive activities
- Uninhabitable farm buildings and structures for farming activities, including stockyards
- Horticultural structures including artificial crop structures and crop support structures

located **more than** 12 metres from a National Grid support structure foundation or stay wire.

**Network Utilities:**

1. must be within the road or a railway corridor; or
2. that form part of electricity infrastructure, must connect to the National Grid utility

**Fences must:**

3. be no more than 2.5 metres in height

**Internal alterations and additions to existing buildings for sensitive activities must:**

4. not involve an increase in the building envelope or floor space

3. Within the National Grid Yard, on any existing developed site within a developed area as identified on the plan attached as Chapter 11-5 Plan 1) within the Living and Working Zones (as at the date the District Plan is operative):

- Any uninhabitable accessory buildings
- Any new building, or addition to an existing building that involves an increase in the building envelope or height, not associated with a sensitive activity
- 

located **more than** 12 metres from a National Grid support structure foundation or stay wire

**Comment [RD1]:** Support permitted status.

**Comment [RD2]:** Support permitted status.

**Comment [RD3]:** Support permitted status.

**Comment [RD4]:** Federated Farmers has no interest in the Living and Working Zones.



4. Within the National Grid Yard

- Network Utilities,
- Fences
- Agricultural or horticultural structures

within 12 metres of a National Grid support structure foundation or stay wire.

**Network Utilities:**

1. shall be within a transport corridor; or
2. that form part of electricity infrastructure shall connect to the National Grid Network utility

**Fences** shall:

3. be no more than 2.5 metres in height and be more than 5 metres from the nearest National Grid support structure foundation

**Horticultural Structures** between 8 metres and 12 metres from a National Grid pole support structure (but not a National Grid tower support structure) shall:

4. demonstrate compliance with NZECP 34:2001;
5. be less than 2.5 metres in height;
6. be removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance purposes; and
7. allow all weather access to the pole and a sufficient area for maintenance equipment, including crane

**Agricultural or Horticultural Structures** located within 12 metres of a National Grid tower support structure shall:

8. demonstrate compliance with Clause 2.4.1 of NZECP34:2001.

Advice note: Please contact Transpower or a suitably qualified engineer for assistance with requirements in NZECP 34:2001.

**Comment [RD5]:** Support permitted status.

**Comment [RD6]:** Support consistency with NZECP34.

5. Earthworks within any National Grid Yard

**Earthworks:**

1. within a distance measured 12 metres from the outer visible edge of any National Grid support structure shall not exceed a depth (measured vertically) of 300mm;

Provided that the following are exempt from point (1) above:

- Earthworks for a Network Utility within a transport corridor, as part of a transmission activity, or for electricity infrastructure.
- Earthworks undertaken as part of agricultural or domestic cultivation (including ploughing), or repair, sealing or resealing of a road, footpath, driveway or farm track.
- Vertical holes not exceeding 500mm in diameter are exempt provided they:
  - (i) are more than 1.5 metres from the outer edge of pole support structure or stay wire or
  - (ii) are a post hole for a farm fence or artificial crop protection and crop support structures and more than 5 metres from the visible outer edge of a tower support structure foundation
- 2. shall not result in a reduction in the ground to conductor clearance distances of less than: 6.5 metres (measured vertically) from a 110kV National Grid transmission line; or 7.5 metres (measured vertically) from a 220kV National Grid transmission line.

**Comment [RD7]:** Support for these exemptions.

**Comment [RD8]:** Support for these exemptions.

**11C.3 Restricted Discretionary Activities**

The following activities listed in the table below are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified). These rules apply in addition to any other rule that is otherwise specified for the activity within this Plan.

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
-------------------------------------	-----------	---

2. Subdivision of land in any zone where all of or part of the site is within the National Grid Corridor.

1. The subdivision shall identify a complying nominal building platform for each new lot, which is fully located outside the National Grid Yard.

**Advice Note:** Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34:2001, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Vegetation to be planted within the National Grid Yard as shown on the District Plan Maps should be selected and/or managed to ensure that the vegetation will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting near any electricity line especially works within the National Grid corridor; contact the relevant network utility operator.

3. Earthworks within a National Grid Yard that do not comply with 11C1.5.1

**Earthworks:**

shall not result in a reduction in the ground to conductor clearance distances of less than: 6.5

2.

1. The extent to which the design, construction and layout of any subdivision demonstrates that a suitable building platform(s) can be located outside of the National Grid Yard for each new lot.
2. The provision for the on-going operation, maintenance (including access) and planned upgrade of existing transmission lines.
3. The risk to the structural integrity of the National Grid.
4. The extent to which the subdivision design and consequential development will minimise the risk of injury and/or property damage from such lines; and
5. The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the transmission asset

**Criteria for Notification:**

Non-notification. Where an activity requires resource consent solely because it is within the National Grid Corridor public notification of the application is precluded. However, limited notification will be given to Transpower, unless the written approval from Transpower is provided at the time the application is lodged.

1. Any risk to the structural integrity of the transmission line;
2. Any effects on the ability of the

**Comment [RD9]:** Status of subdivisions that meet this standard should not be any more onerous than what they otherwise would be.

**Comment [RD10]:** This should be done in a general sense to avoid limiting the future owner to a single site.

**Comment [RD11]:** Rural subdivisions would have no problem meeting this standard.

metres (measured vertically) from a 110kV National Grid transmission line; or 7.5 metres (measured vertically) from a 220kV National Grid transmission line.

transmission line owner to access, operate, maintain and/or upgrade the National Grid;

3. The proximity of buildings and structures to electrical hazards;
4. Operational risks relating to health or public safety, and the risk of property damage;
5. Amenity effects;
6. Any actual or potential reverse sensitivity effects;
7. Technical advice provided by the National Grid owner (Transpower); and
8. Any effects on National Grid support structures including the creation of an unstable batter

Criteria for Notification:

Non-notification. Where an activity requires resource consent solely because it is within the National Grid Yard public notification of the application is precluded. However, limited notification will be given to Transpower, unless the written approval from Transpower is provided at the time the application is lodged.

### 11C.5 Non Complying Activities

The following activities are **non complying** activities

#### Non Complying Activities

- (a) Any new building for a sensitive activity or addition to an existing building that involves an increase in the building envelope or height for a sensitive activity within the National Grid Yard.
- (b) A change of use from a non-sensitive to a sensitive activity or the establishment of a new sensitive activity within the National Grid Yard.

- (c) Any milking shed (excluding accessory structures and buildings), commercial greenhouse, protective canopy or other building for an intensive farming activity within the National Grid Yard.
- (d) Any activity, building or structure provided for under rule 11C.1 that does not comply with the associated permitted activity standards.
- (e) Any building or structure within the National Grid Yard that is not a permitted activity under rule 11C.1.

**Comment [RD12]:** Support for milking sheds not being classified as a “sensitive activity” as per (a) above.

Support for accessory buildings and structures (such as storage sheds or cattle races) still being able to locate within the National Grid Yard and the non-complying status is limited to the milking shed only.

