

Before the Independent Hearings Panel
Far North District Council

under: the Resource Management Act 1991 (*RMA*)

in the matter of: the Far North Proposed District Plan: Hearing 4 –
Natural Environment Values and Coastal Environment

between: **Far North District Council**

and: **Transpower New Zealand Limited**
Submitter 454 and Further Submitter 078

Statement of evidence of **Sharon Gail Dines** on behalf of
Transpower New Zealand Limited

Dated: 22 July 2024

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**STATEMENT OF EVIDENCE OF SHARON GAIL DINES ON BEHALF OF
TRANSPOWER NEW ZEALAND LIMITED**

INTRODUCTION

- 1 My full name is Sharon Gail Dines.
- 2 I am a Director and Principal Planner at Dines Consulting Limited, based in Auckland.
- 3 I hold the qualifications of Master of Science (Technology)(Honours) in Earth Sciences obtained in 1995 from the University of Waikato and Post Graduate Diploma in Resource Studies obtained in 2004 from Lincoln University. I am a full member of the New Zealand Planning Institute.
- 4 I have over 25 years' experience working in planning and resource management in New Zealand. My experience includes assisting clients with the preparation of submissions and further submissions, participating in mediation and witness conferencing and preparing and presenting evidence at Council, Environment Court or Board of Inquiry hearings in the following plan making processes:
 - 4.1 Waikato Proposed District Plan;
 - 4.2 Tukituki Catchment Proposal in Hawke's Bay;
 - 4.3 Proposed Southland Regional Policy Statement;
 - 4.4 Variation 1 to the Canterbury Land and Water Plan in the Selwyn Te Waihora catchment;
 - 4.5 Proposed Auckland Unitary Plan;
 - 4.6 Proposed Regional Plan for Northland;
 - 4.7 Proposed Southland Water and Land Plan; and
 - 4.8 Far North Proposed District Plan.
- 5 I have particular expertise in the energy and infrastructure sectors having provided planning advice in relation to electricity generation and transmission, water supply, wastewater disposal, airports and ports. I have been providing planning advice to Transpower Limited (*Transpower*) on a range of matters since about 2018.
- 6 I was engaged by Transpower in August 2022 to provide planning advice on the Far North Proposed District Plan (*FNPDP*) and assist them with the preparation of their submission and further submission on the FNPDP. I have subsequently been engaged to liaise with Far North District Council reporting officers regarding Transpower's submission and further submission and prepare expert

planning evidence in relation to the matters that have been raised in Transpower's submission and further submissions.

CODE OF CONDUCT

- 7 Although this matter is not before the Environment Court, I confirm that I have read the Code of Conduct for expert witnesses as contained in section 9 of the Environment Court Practice Note 2023. I agree to comply with that Code. My qualifications as an expert are set out above. I am satisfied that the matters which I address in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

OVERVIEW AND SCOPE OF EVIDENCE

- 8 I have reviewed the s42A reports prepared by the reporting officers for Natural Character, Natural Features and Landscapes, Coastal Environment and Ecosystems and Indigenous Biodiversity (*Officers' Reports*) which are the subject of this hearing. I generally agree with the reporting officers' recommendations regarding the objectives and policies for these topics.
- 9 In particular, the Officers' Reports recommend a "one-stop-shop" policy framework for the development of the National Grid be provided in the Infrastructure Chapter and that this framework clarify the relationship between the infrastructure related provisions throughout the FNPDP. As such, the Officers' recommended that the relief sought by Transpower in relation to the Hearing 4 provisions be considered through the infrastructure topic (Hearing 12).
- 10 I agree with this recommendation and support a standalone policy for the development of the National Grid that will prevail over others in the FNPDP in the event of conflict. As such, I do not propose any changes to the Hearing 4 provisions.
- 11 However, the effectiveness of the "one-stop shop" approach will depend upon the specifics of the Infrastructure Chapter provisions (including the National Grid specific policy) which are yet to be considered by the Panel. Detailed evidence on the policy and rule framework applicable to the National Grid and approach to managing potential conflict between FNPDP provisions as they relate to the National Grid will be provided by Transpower in the context of Hearing 12. However, the Panel's view on this aspect will likely impact on how the objectives and policies across the plan are meant to be read together, including the provisions that are the subject of this hearing.
- 12 Therefore, to provide context and assist the Panel, my evidence briefly addresses two matters:

- 12.1 The approach to the regulation of infrastructure in the FNPDP and the need for clarity as to what provisions apply; and
- 12.2 Giving effect to the National Policy Statement on Electricity Transmission 2008 (*NPSET*) and reconciling National Direction in the FNPDP.
- 13 As noted, both of these matters will be canvassed in further detail in evidence to be presented the context of Hearing 12 – Energy, Infrastructure and Transport.
- 14 I have **attached** a table to my evidence that records all Transpower’s submission and further submission points for Hearing 4, the s42A recommendation to the submission or further submission and an indication of whether I agree or disagree with the recommendations in the Officers’ Reports.

APPROACH TO THE REGULATION OF INFRASTRUCTURE

- 15 In my opinion there is currently a lack of clarity within the provisions of the FNPDP as to whether the Infrastructure Chapter alone regulates infrastructure or whether other provisions (including those the subject of Hearing 4) are intended to apply. It is also unclear how provisions should be reconciled and/or which provisions prevail in the event of conflict.
- 16 To illustrate, the Coastal Environment chapter provides policy direction in relation to land use and subdivision, which could capture Infrastructure, for example in CE-P2 and CE-P3. The notified FNPDP also contains Policy I-P2 in the Infrastructure chapter that specifically relates to managing infrastructure in the coastal environment, but it is not clear whether the Coastal Environment Chapter policies would also apply to infrastructure. The lack of clarity also creates confusion as to the activity status that is intended to apply to infrastructure. Under the Natural Environment Values and Coastal Environment Chapters, non-complying activity status would apply to certain National Grid activities. Non-complying activity status is not, in my view, an appropriate method for managing the effects of the operation, maintenance and upgrade and development of the National Grid.
- 17 To clarify what rules apply to the National Grid and the relationship between the Infrastructure Chapter provisions and other provisions in the FNPDP, Transpower’s submission sought that all provisions in relation to managing the operation, maintenance, upgrading and development of the National Grid (including a National Grid specific policy, I-PX) be confined to the Infrastructure Chapter. This approach is preferable in my opinion as it would avoid duplication, reconcile conflict between provisions and provide a clear and coherent set of provisions for all plan users.

- 18 As an alternative approach, Transpower suggested specific amendments to provisions throughout the FNPDP to clarify areas of potential uncertainty. In relation to the provisions the subject of this hearing, Transpower sought that cross references be included in the Natural Environment Values and Coastal Environment Chapters to the relevant Infrastructure Chapter provisions.
- 19 The Officers' Reports concluded that cross references to other policies within the FNPDP were unnecessary and could create confusion. The Officers' Reports recommended that the relationship between the National Grid specific policy and provisions and other provisions in the FNPDP be dealt with once in the Infrastructure Chapter rather than repeated throughout multiple chapters.
- 20 As noted, I agree with the officers' recommendations, but note that it would be helpful for the panel to turn its mind to the matter at this stage of the hearings process.

GIVING EFFECT TO AND RECONCILING NATIONAL DIRECTION

- 21 By way of background and context, the NPSET identifies that the need to operate, maintain, develop and upgrade the electricity transmission network is a matter of national significance. The objective of the NPSET is:

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:

- *managing the adverse environmental effects of the network; and*
- *managing the adverse effects of other activities on the network.*

- 22 Policies 1-5 provide that decision-makers must:
- 22.1 recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission (Policy 1);
- 22.2 recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network (Policy 2);
- 22.3 consider the constraints imposed on achieving measures to avoid, remedy or mitigate adverse environmental effects of

transmission activities, by the technical and operational requirements of the network (Policy 3);

- 22.4 consider the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection for new transmission infrastructure or major upgrades of existing transmission infrastructure (Policy 4); and
- 22.5 enable the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets (Policy 5).
- 23 Policy 6 provides that substantial upgrades should be used as an opportunity to the reduce existing adverse effects while Policy 7 relates to the planning and development of the transmission system.
- 24 Policy 8 is particularly relevant to this hearing. It states:
- 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.*
- (emphasis added)*
- 25 These policies reflect the fact that electricity transmission has special characteristics that create challenges for managing its effects. As the preamble to the NPSET states, "[t]echnical, operational and security requirements associated with the transmission network can limit the extent to which it is feasible to avoid or mitigate all adverse environmental effects."
- 26 There is also tension between the "seek to avoid" direction in Policy 8 of the NPSET and the "avoid" policies of the New Zealand Coastal Policy Statement 2010 (NZCPS) (Policies 11, 13 and 15).
- 27 My understanding is that section 75(3) RMA requires the Far North District Council to give effect to the NZCPS and the NPSET in its district plan. As such, this tension needs to be resolved in the objectives and policies of the FNPDP, noting that no hierarchy exists between national policy statements under the RMA. I understand that the application of "avoid" policies to infrastructure has now been addressed in case law. Policy D.2.10 of the Proposed Regional Plan for Northland is a local example where the tension between these policies has been reconciled.
- 28 In my opinion and as set out in Transpower's submission on the FNPDP, the provisions of the FNPDP currently fail to:

- 28.1 give effect to the NPSET; or
- 28.2 reconcile conflict between the NPSET and other national direction that is relevant to the provisions that are the subject of Hearing 4.
- 29 To resolve these matters, Transpower is seeking a stand-alone policy for the development of the National Grid in the Energy, Infrastructure and Transport Chapter of the FNPDP that appropriately gives effect to the NPSET and the competing policies in other National Policy Statements, in particular, the NZCPS and resolves the inherent tension between those competing policies.
- 30 As already noted, the reporting officers support this proposed approach in principle and agree that a stand-alone policy for managing the effects of the National Grid in the Energy Infrastructure and Transport Chapter of the FNPDP is appropriate. Ms Eng and I have also had productive preliminary discussions with Council's staff and consultants regarding the matter and expect those productive discussions to continue.

CONCLUSION

- 31 As noted, I generally agree with the recommendations made in the Officers' Reports. I also continue to support the inclusion of a standalone policy for the development of the National Grid that will prevail over others in the FNPDP in the event of conflict. As such, I do not consider any changes in the Natural Environment Values and Coastal Environment Chapters are required to ensure that the individual policies therein give effect to the NPSET and Policy 8 in particular.
- 32 However, should the Panel be of a mind to disagree with the Officers' recommendations and my view, then I consider amendments to the provisions of Natural Environment Values and Coastal Environment Chapters are required to:
- 32.1 Clarify the relationship between infrastructure related provisions within the FNPDP; and
- 32.2 Give effect to the NPSET.

Sharon Gail Dines
22 July 2024

Attachment A: Transpower position on S42A recommendations in relation to Hearing 4 Natural Environment Values and Coastal Environment

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
Transpower New Zealand Limited						
Ecosystems and Indigenous Biodiversity						
S454.083	<p>IB-P2</p> <p>Amend IB-P2 as follows:</p> <p>Within the coastal environment, <u>subject to Policy I-Px</u>:</p> <p>a. avoid adverse effects of land use and subdivision on Significant Natural Areas; and</p> <p>b. avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on areas of important and vulnerable indigenous vegetation, habitats and ecosystems.</p>	Amend.	A consequential amendment to this policy is required to ensure that the FNPDP gives effect to the NPSET.	N/A	Reporting officer recommends to address the relationship of the policy (I-Px) with other provisions of the PDP in the policy itself which is in keeping with Transpower's desire for the Infrastructure section to provide a "one-stop-shop."	Accept, provided the policy correctly gives effect to the NPSET.
S454.084	<p>IB-P3</p> <p>Amend IB-P3 as follows:</p>	Amend.	A consequential amendment to this policy is required to ensure that the FNPDP gives effect to the NPSET.	N/A	As above.	As above.

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
	<p>Outside the coastal environment, <u>subject to Policy I-Px</u>:</p> <ul style="list-style-type: none"> a. avoid, remedy or mitigate adverse effects of land use and subdivision on Significant Natural Areas to ensure adverse effects are no more than minor; and b. avoid, remedy or mitigate adverse effects of land use and subdivision on areas of important and vulnerable indigenous vegetation, habitats and ecosystems to ensure there are no significant adverse effects. 					
S454.085	<p>IB-P5</p> <p>Amend the chapeau of IB-P5 as follows:</p> <p>Ensure that the management of land use and subdivision to protect Significant Natural Areas and maintain indigenous biodiversity, <u>subject to Policy I-Px</u>, is done in a way that:</p> <ul style="list-style-type: none"> 1. does not impose unreasonable restrictions 	Amend.	A consequential amendment to this policy is required to ensure that the FNPDP gives effect to the NPSET.	N/A	Not covered in s42A but assume same position as above.	As above.

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
	<p>on existing primary production activities, particularly on highly versatile soils;</p> <p>2. recognises the operational need and functional need of some activities, including regionally significant infrastructure, to be located within Significant Natural Areas in some circumstances;</p> <p>3. allows for maintenance, use and operation of existing structures, including infrastructure; and</p> <p>4. enables Māori land to be used and developed to support the social, economic and cultural well-being of tangata whenua, including the provision of papakāinga, marae and associated residential units and infrastructure.</p>					

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
S454.086	<p>Amend the chapeau of IB-P10 as follows:</p> <p>Manage land use and subdivision, <u>subject to Policy I-Px</u>, to address the effects of the activity requiring resource consent for indigenous vegetation clearance and associated land disturbance, including (but not limited to) consideration of the following matters where relevant to the application:</p> <ul style="list-style-type: none"> a. the temporary or permanent nature of any adverse effects; b. cumulative effects of activities that may result in loss or degradation of habitats, species populations and ecosystems; c. the extent of any vegetation removal and associated land disturbance; d. the effects of fragmentation; e. linkages between indigenous ecosystems and habitats of indigenous species; 	Amend.	A consequential amendment to this policy is required to ensure that the FNPDP gives effect to the NPSET.	N/A	Not covered but assume same position as above.	As above.

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
	<ul style="list-style-type: none"> f. the potential for increased threats from pest plants and animals; g. any downstream adverse effects on waterbodies and the coastal marine area; h. where the area has been mapped or assessed as a Significant Natural Areas: <ul style="list-style-type: none"> i. the extent to which the proposal will adversely affect the ecological significance, values and function of that area; ii. whether it is appropriate or practicable to use biodiversity offsets or environmental biodiversity compensation to address more than minor residual adverse effects; i. the location, scale and design of any proposed development; j. the extent of indigenous vegetation cover on the site and whether it is practicable to avoid or reduce the extent 					

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
	of indigenous vegetation clearance; k. the functional or operational needs of regionally significant infrastructure; l. any positive contribution any proposed biodiversity offsets or environmental biodiversity compensation will have on indigenous biodiversity; and m. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.					
Ecosystems and Indigenous Biodiversity Rules						
S454.087	IB-R1 Retain IB-R1. Indigenous vegetation pruning, trimming and clearance and any associated land disturbance for specified activities within and outside a Significant Natural Area All zones	Support.	Transpower supports the inclusion of this rule as it provides for vegetation clearance to ensure the safe and efficient operation of infrastructure, such as the National Grid.	N/A	Retained with some amendments.	Support permitted and discretionary activity status for these activities.

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>It is for any of the following:</p> <ol style="list-style-type: none"> 1. To address an immediate risk to the health and safety of the public or damage to property; 2. To remove dead trees, provided that no more indigenous vegetation is cleared or trimmed than is necessary for safe removal; 3. The formation of walking tracks less than 1.2m wide using manual methods which do not require the removal of any tree over 300mm in girth; 4. Clearance for biosecurity reasons; 5. The sustainable non-commercial harvest of plant material for rongoā Māori (customary medicine); 6. To create or maintain a 20m setback from a building used for a vulnerable activity 					

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
	<p>(excluding accessory buildings) to the edge of the indigenous vegetation area;</p> <p>7. To allow for the construction of a single residential unit on a title and essential associated on-site infrastructure and access and it does not exceed 1,000m²;</p> <p>8. It is within an area subject to an Open Space Covenant under the Queen Elizabeth II National Trust Act 1977, a Ngā Whenua Rahui Kawenata, a Conservation Covenant under the Reserves Act 1977 or the Conservation Act 1987, or a Heritage covenant under the Heritage New Zealand Pouhere Taonga Act 2014 and the vegetation clearance is provided for in that covenant or order;</p> <p>9. The construction of a new fence where the purpose of the new fence is to exclude stock and/or pests from the area of indigenous vegetation provided that the clearance</p>					

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
	<p>does not exceed 3.5m in width either side of the fence line;</p> <p>10. The removal or clearance from land which was previously cleared and the indigenous vegetation to be cleared is less than 10 years old;</p> <p>11. Creation and maintenance of firebreaks to manage fire risk;</p> <p>12. The harvesting of indigenous timber approved under the Forests Act 1949 via either a registered sustainable forest management plan, a registered sustainable forest management permit or a personal use approval for the harvesting and milling of indigenous timber from the Ministry of Primary Industries;</p> <p>13. It is for the operation, repair and maintenance of the following activities where they have been lawfully established:</p>					

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
	<ul style="list-style-type: none"> i. fences ii. infrastructure iii. buildings iv. driveways and access v. walking tracks vi. cycling tracks vii. farming tracks. 					
Natural character						
S454.088	<p>NATC-O2:</p> <p>Amend objective NATC-O2 as follows:</p> <p><u>Subject to I-Px, L</u>and use and subdivision is consistent with and does not compromise the characteristics and qualities of the natural character of wetland, lake and river margins.</p>	Amend.	A consequential amendment to this objective is required to ensure that the FNPDP gives effect to the NPSET as set out in the submission point on I-P2 above.	N/A	Reporting officer recommends to address the relationship of the policy (I-Px) with other provisions of the PDP in the policy itself which is in keeping with Transpower's desire for the Infrastructure section to provide a "one-stop-shop."	Accept, provided the policy correctly gives effect to the NPSET.
S454.089	NATC-P4:	Amend.	A consequential amendment to this policy is required to ensure that the	N/A	As above.	As above.

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
	<p>Amend the chapeau of policy NATC-P4 as follows:</p> <p>Provide for buildings or structures, and extensions to existing buildings or structures on wetland, lake and river margins where, <u>subject to Policy I-Px</u>: there is a functional or operational need for a building or structures location;</p> <ol style="list-style-type: none"> 1. public access, customary access and recreational use can be protected or enhanced; 2. the protection of natural character is preserved; <p>and</p> <p>natural hazard risk will not be increased, taking into account the likely long term effects of climate change</p>		<p>FNPDP gives effect to the NPSET as set out in the submission point on I-P2 above.</p>			
Minister of Education						
S331.047	<p>Submission:</p> <p>NATC-R1</p>	Support.	<p>Transpower considers this addition to the rule gives effect to Policy 3 of the NPSET and assists to give effect to Policy 5.3.3 (c) of the RPSN.</p>	Allow the submission.	Not accepted.	Accept, provided the rule correctly gives

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
	<p>The Ministry may have an operational need to locate educational facilities on wetland, lake and river margins to provide for existing communities. Given the proposed policy NATC-P4 provides for the establishment of new buildings and extensions to existing buildings where there is an operational need to be located on wetland, lake and river margins, the Ministry recommends inclusion of activities which have an operational need to be located in the area (including educational facilities) to be included in the list of permitted activities to ensure consistency across the policies and rules.</p> <p>Relief sought:</p> <p>PER-2</p> <p>The building or structure, or extension or alteration to an existing building or structure on wetland, lake and river margins is required for:</p>					<p>effect to the NPSET.</p>

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
	<ol style="list-style-type: none"> 1. restoration and enhancement purposes; or 2. natural hazard mitigation undertaken by, or on behalf of, the local authority; or 3. park management activity in the Open Space or Sport and active recreation zone; or 4. a post and wire fence for the purpose of protection from farm stock. 5. river crossings, including but not limited to, fords, bridges, stock crossings and culvert 6. crossings. 7. activities related to the construction of river crossings. 8. pumphouses utilised for the drawing of water provided they cover less than 25m2 in area. 					

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
	9. an activity which has an operational need to be located in the area.					
Waka Kotahi New Zealand Transport Agency						
S356-065	<p>Natural Character</p> <p>It is not clear why only the natural character of wetlands, lake and river margins are relevant to this chapter, particularly in the context of APP1 and assessment of Outstanding and High Natural Character areas.</p> <p>It is suggested that the policy framework considers all aspects of natural character in a tiered approach.</p> <p>Relief sought:</p> <p>Consider redrafting this section to account for all areas of Natural Character and implement a tiered approach to Outstanding and High</p>	Support	Transpower has sought a stand-alone policy for the National Grid to give effect to the NPSET. If that relief is not accepted by Council the Natural Character section of the Proposed District Plan will apply to the National Grid and it does not appear to give effect to either the NPSET or the NPS – Freshwater Management.	Allow the submission.	Reporting officer recommends to address the relationship of the policy (I-Px) with other provisions of the PDP in the policy itself which is in keeping with Transpower's desire for the Infrastructure section to provide a "one-stop-shop."	As above.

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
	Natural Character areas as identified through APP1.					
S356.066	<p>NATC-P1</p> <p>The policy is considered too onerous to apply to all wetland, lake and river margins, and should only apply to Outstanding Natural Character Areas.</p> <p>Relief sought:</p> <p>Amend to refer to only Outstanding Natural Character areas.</p>	Support	Transpower has sought a stand-alone policy for the National Grid to give effect to the NPSET. If that relief is not accepted by Council this policy will apply to the National Grid and it does not appear to give effect to either the NPSET or the NPS – Freshwater Management.	Allow the submission.	As above.	As above.
S356.069	<p>NATC-R1</p> <p>The rule structure is too onerous to apply to all wetland, lake and river margins. It is also unclear how is to be assessed.</p> <p>Relief sought:</p> <p>For the rule to apply only to Outstanding or High Natural Character Areas. Clarification is also sought as to how the rule applies to infrastructure provision.</p>	Support	Transpower agrees that the rule structure is too onerous. In particular, Transpower is opposed to a default activity status of Non-Complying if PER-1 is not met.	Allow the submission.	Reporting officer recommends default status now Restricted Discretionary.	Accepted.

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
Natural features and landscapes						
S454.090	<p>NFL-O2</p> <p>Amend objective NFL-O2 as follows:</p> <p><u>Subject to I-Px</u>, Land use and subdivision in ONL and ONF is consistent with and does not compromise the characteristics and qualities of that landscape or feature.</p>	Amend	A consequential amendment to this policy is required to ensure that the FNPDP gives effect to the NPSET as set out in the submission point on I-P2.		Reporting officer recommends to address the relationship of the policy (I-Px) with other provisions of the PDP in the policy itself which is in keeping with Transpower's desire for the Infrastructure section to provide a "one-stop-shop."	Accept, provided the policy correctly gives effect to the NPSET.
S454.091	<p>NFL-P2</p> <p>Amend policy NFL-P2 as follows:</p> <p>Avoid adverse effects of land use and subdivision on the characteristics and qualities of ONL and ONF within the coastal environment, <u>subject to Policy I-Px</u>.</p>	Amend	A consequential amendment to this policy is required to ensure that the FNPDP gives effect to the NPSET as set out in the submission point on I-P2.		As above.	As above.

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
S454.092	<p>NFL-P3</p> <p>Amend policy NFL-P2 as follows:</p> <p>Subject to I-Px, Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of ONL and ONF outside the coastal environment</p>	Amend	A consequential amendment to this policy is required to ensure that the FNPDP gives effect to the NPSET as set out in the submission point on I-P2 above.		As above.	As above.
Natural features and landscapes						
S454.093	<p>NFL- R1 New buildings or structures, and extensions or alterations to existing buildings or structures</p> <p>Within ONL or ONF</p> <p>Activity status: Permitted</p> <p>PER-1</p> <p>If aThe new building or structure is located outside the coastal environment it is:</p> <ol style="list-style-type: none"> 1. ancillary to farming (excluding a residential unit); and 2. no greater than 25m². 	Amend	<p>There is no difference between the requirements of PER-1 and PER-2 and the rule does not allow for the provision of new infrastructure.</p> <p>Due to its linear nature and the requirement to connect new electricity generation to the National Grid, regardless of where the new generation facilities are located, transmission lines may need to traverse any area within the Far North District.</p> <p>While Transpower is required to seek to avoid locating transmission facilities within sensitive areas, there may be occasions when sensitive</p>		<p>Accepted in part.</p> <p>PER-1 and PER-2 replaced but non-compliance with standards in the Coastal Environment defaults to Non-complying activity status.</p>	<p>Does not appropriately give effect to NPSET. To be addressed with specific rule in Energy Infrastructure and Transport chapter.</p>

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
	<p><u>The new building or structure is for infrastructure.</u></p> <p>PER-2</p> <p>If a new building or structure is located within the coastal environment it is:</p> <p>1. ancillary to farming (excluding a residential unit);</p> <p>no greater than 25m².</p> <p>PER-3</p> <p>Any extension to a lawfully established building or structure is no greater than 20% of the GFA of the existing lawfully established building or structure.</p> <p>PER-4</p> <p>The building or structure, or extension or alteration to an existing building or structure, complies with standards:</p> <p>NFL-S1 Maximum height</p> <p>NFL-S2 Colours and materials</p>		<p>areas cannot be avoided and, in these cases, critical infrastructure needs to be provided for.</p>			
Ricky Faesen Kloet						

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
S405.003	<p>NFL-R1</p> <p>The submitter considers that the proposed standards that apply to activities located within the ONL overlay would limit the reasonable development of land to an extent that is unnecessarily onerous and inconsistent with the purpose of the Act. These include limitations on the height and area, and defining the colours and reflectivity.</p> <p>Relief sought:</p> <p>Delete Rule NFL-R1 (inferred by Council).</p>	Support.	The proposed Rule does not provide for infrastructure such as the National Grid to be located within these areas where there is a functional or operational need to locate such infrastructure there and there is no other practicable location. This does not appropriately give effect to policies 2, 3, 4 and 8 of the NPSET.	Allow the submission.	Not accepted.	See above.
S405.006	<p>Submission:</p> <p>NFL-R1</p> <p>The submitter considers that the proposed standards that apply to activities located within the ONL overlay would limit the reasonable development of land to an extent that is unnecessarily onerous and inconsistent with the purpose of the Act. Delete all provisions in the plan that require</p>	Support.	Transpower considers that non-complying activity status for infrastructure such as the National Grid located in an ONL or ONF is too onerous.	Allow the submission.	Not accepted.	As above.

Submission Reference	Provision and Relief sought	Support/Oppose	Submission	Allow/Disallow	S42A recommendation	Transpower's response to recommendation
	<p>activities located within an identified ONL to be assessed as non-complying activities.</p> <p>Relief sought:</p> <p>Delete the non-complying activity status applying to PER-2 of Rule NFL-R1.</p>					