

## Submission Form (Form 5)

# Submission on Proposed Kaipara District Plan

Form 5: Submissions on a Publicly Notified Proposed District Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991

### Return your signed submission by Monday 30 June 2025 via:

**Email:** [districtplanreview@kaipara.govt.nz](mailto:districtplanreview@kaipara.govt.nz) (subject line: Proposed District Plan Submission)

**Post:** District Planning Team, Kaipara District Council, Private Bag 1001, Dargaville, 0340

**In person:** Kaipara District Council, 32 Hokianga Road, Dargaville; or  
Kaipara District Council, 6 Molesworth Drive, Mangawhai

If you would prefer to complete your submission online, from 28 April 2025 please visit:

[www.kaipara.govt.nz/kaipara-district-plan-review/proposed-district-plan](http://www.kaipara.govt.nz/kaipara-district-plan-review/proposed-district-plan)

All sections of this form need to be completed for your submission to be accepted. Your submission will be checked for completeness, and you may be contacted to fill in any missing information.

**Full name:**

**Phone:**

**Organisation:**

*(\*the organisation that this submission is made on behalf of)*

**Email:**

**Postal address:**

**Postcode:**

**Address for service: name, email and postal address** *(if different from above):*

### Trade Competition

Pursuant to Schedule 1 of the Resource Management Act 1991, a person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that:

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

### Please tick the sentence that applies to you:

I could not gain an advantage in trade competition through this submission; or

I **could** gain an advantage in trade competition through this submission.

***If you have ticked this box please select one of the following:***

I am directly affected by an effect of the subject matter of the submission

I **am not** directly affected by an effect of the subject matter of the submission

**Signature:**



**Date:**

*(Signature of person making submission or person authorised to sign on behalf of person making the submission.)*

**Please note:** all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.

I **do not** wish to be heard in support of my submission; or

I do wish to be heard in support of my submission; and if so,

I would be prepared to consider presenting my submission in a joint case with others making a similar submission at any hearing

<b>(1)</b> The specific provisions of the Proposed Plan that my submission relates to are:		<b>(2)</b> My submission is that: <i>(include whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)</i>		<b>(3)</b> I seek the following decisions from Kaipara District Council. <i>(Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand your concerns.)</i>
Chapter/Appendix/ Schedule/Maps	objective/policy/rule/ standard/overlay	Oppose/support (in part or full)	Reasons	

Add further pages as required – please initial any additional pages

30 June 2025

Kaipara District Council Policy Planning Team  
Via email – [districtplanreview@kaipara.govt.nz](mailto:districtplanreview@kaipara.govt.nz)

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New Plymouth 4312  
New Zealand  
[clarus.co.nz](http://clarus.co.nz)

Tēnā koē,

## Proposed District Plan - Submission

Clarus welcomes the opportunity to comment on the Proposed Kaipara District Plan. Our submission is attached to this cover letter as Appendix 1, with this letter providing an overview of Clarus entities, and the specific interest Clarus has in the District through the Firstgas Transmission pipeline.

### Introduction to Clarus

Clarus is one of New Zealand's largest energy groups. Whether it's transmission, distribution, supply or storage of energy, the companies within the Clarus group service over half a million homes and businesses of all sizes around New Zealand.

Firstgas connects over 300,000 homes and businesses with natural gas through its gas distribution and high-pressure transmission network. This essential infrastructure supports New Zealand's economy, so the group is committed to helping customers maximise value from it.

Flexgas provides energy storage services at the underground Ahuroa Gas Storage Facility. This sort of storage can offer an important source of flexibility to the electricity system at periods of peak demand, supporting security of electricity supply as New Zealand moves to higher levels of intermittent wind and solar generation.

Rockgas is New Zealand's largest LPG retail supplier, providing fast and reliable service through a national network of branches and franchises.

Firstlight Network is the lines company supplying electricity to the Tairāwhiti and Wairoa region, responsible for keeping the lights on across 12,000 square kilometres of the East Coast.

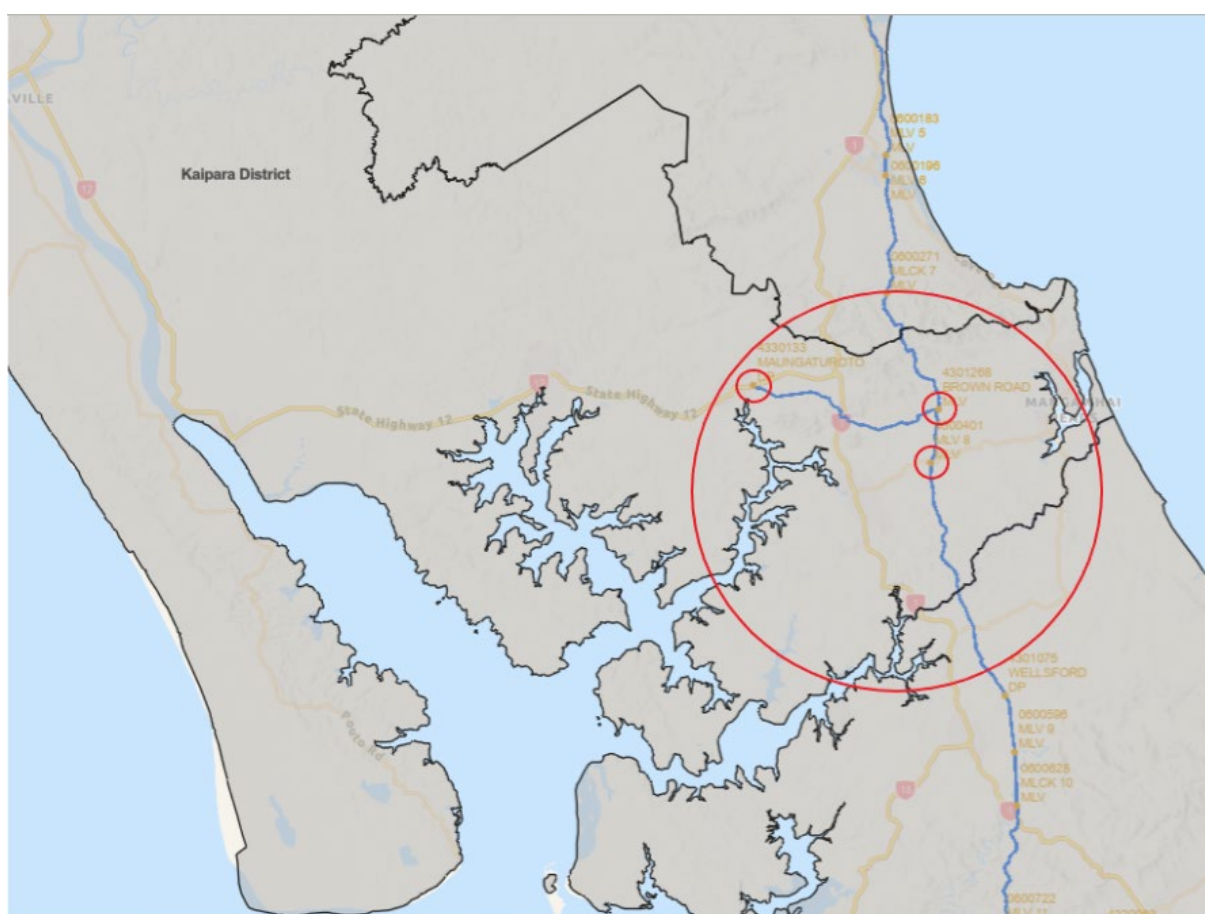
We are investing in innovative renewable gas technologies such as biogas upgrading and hydrogen blending equipment. These technologies have the potential to play a part in the transition to a lower emissions energy system.



At Clarus, our First Renewables business is leading our work programme looking at the potential for renewable energy developments. We aim to open the door for Aotearoa New Zealand homes, businesses and energy intensive industries to access lower emissions gas and renewable energy options now and in the future.

### Specific Interest in the Kaipara District (the District)

The Firstgas transmission pipelines occupy an area to the southeast of the District. The 430 and 433 Transmission pipelines, and the associated Main Line Valve (MLV8), Main Line Valve Brown Road, and Maungaturoto Delivery Point (DP) stations, are located within the District, see image below.



**Figure 1:** Location of Transmission pipes within Kaipara District. Source Firstgas GiS.

The location of all Firstgas pipelines and stations is visible within our geospatial data, available for download via <https://data-firstgas.hub.arcgis.com/>

### Submission

The vision of Clarus is to “deliver good energy for a brighter Aotearoa”. We are taking action to deliver safe, reliable and cleaner energy now and for the future. As part of this action, our submission seeks to protect the existing infrastructure located within the District



and ensure the District Plan provides for renewable energy development that may arise in the future.

We thank the Council for consideration of our submission and welcome the opportunity to discuss the submission further, should Council have any queries. We would take the opportunity to speak to our submission at the hearings process.

Neither Clarus or I could gain an advantage in trade competition through this submission.

Ngā mihi nui

Anastasia Blignaut

Senior Planner

**Clarus**



## Appendix 1 - Submission

# Align



 **Clarus**

Kaipara Proposed  
District Plan Submission

30 June 2025

Bringing places and  
communities to life.

# QUALITY CONTROL SHEET

Proposal:	Kaipara Proposed District Plan 2025
Client:	Clarus (First Gas)
Review by:	Jo Michalakis

## Version:

Issue: 0.1	13/6/25	Internal review
Issue: 1.0	16/6/25	Client review
Issue: 2.0 & 2.1	30/06/25	Final review
Issue: 2.2	30/06/25	Lodgement

## Distribution:

Client: Anastasia Blignaut, Clarus		Electronic
Kaipara District Council		Electronic

## Produced by:

## Approved by:

 Bernie Warmington	 Jo Michalakis
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*Cover Image credit: First Renewables – Biogas Upgrade Facility, Reporoa*

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## 1. Overview of submission

Summary comments on the Proposed District Plan are provided here, as background to the specific relief sought which is described in Section 2.

### 1.1. Definitions

The definitions are supported overall. Changes to some definitions have been requested.

It would be helpful to have a summary table (nesting) which defines the relationships between different types of infrastructure.

Some terms in policies do not have a clear definition. This includes rural / non-rural activities.

### 1.2. Infrastructure provisions

The Infrastructure and Renewable Electricity Generation chapter is supported overall, subject to some specific requests. We consider that the latter should be extended to cover other forms of renewable energy generation, consistent with the Northland RPS.

The recognition of regionally significant infrastructure is supported.

### 1.3. Earthworks provisions

Earthworks provisions appear in many parts of the plan. These include Earthworks, Infrastructure, Contaminated Land, Natural Hazards, Historic Heritage, Natural Character, Natural Features and Landscapes and others. It would be helpful to provide a table or directory of these for users, if they cannot be brought into a single chapter.

### 1.4. Gas pipeline designation

Proposals have been made for some changes to the designation conditions.

## 2. Decisions requested

The decisions requested and the reasons for these are summarised in Table 1 as follows:

- Point number
- Chapter
- Provision
- Position
- Reasons
- Relief Sought

Additions are shown as underlined text and deletions are shown as ~~strike through text~~.

In addition to these submission points Clarus requests that Council makes any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.



Table 1: Decisions sought by Clarus

#	Chapter	Provision	Position	Reasons	Relief Sought
Part 1 – Introduction and General Provisions HOW THE PLAN WORKS					
1	General Approach	General comment	Support in part	The overall approach and hierarchy of provisions is supported. The presentation of rules is sometimes confusing. Where the standards for a Permitted Activity are not met this triggers another status (e.g. Restricted Discretionary) within the same rule. It would be clearer if each rule was associated with only one activity status. If another activity status is triggered this should refer the reader to a different rule, with its own assessment criteria etc as necessary.	Maintain one activity status per rule.  Restructure the rules and renumber them without changing the content, unless otherwise requested in this submission.
INTERPRETATION					
2	Definitions	DEF1 Grouped (nested) definitions	Support in part	Clarus requests an additional nesting group for infrastructure. Various terms are used in the Plan including infrastructure, regionally significant	Include a nesting table: Infrastructure <ul style="list-style-type: none"> <li>regionally significant infrastructure</li> <li>network utilities</li> </ul>

#	Chapter	Provision	Position	Reasons	Relief Sought
				infrastructure, network utilities and utility connections. It would add clarity if the relationships between these were defined.	<ul style="list-style-type: none"> <li>utility connections</li> </ul> Define 'utility connections' as it is used in the Plan.
3	Definitions	Abrasive blasting Dry abrasive blasting Wet abrasive blasting	Neutral	These terms do not appear in policies or rules and could be deleted	Delete if necessary
4	Definitions	Gas or petroleum pipeline corridor	Support in part	Clarus supports the definition of the corridor. The proposed width of the corridor is less than is provided in other District Plans and may not provide adequate protection to the pipeline from nearby works and activities. The current width is 12m from the pipeline (6m from the edge of the designation which is 6m from the pipeline). For safety reasons and to be in line with other District Plans where a 40m corridor has been achieved (Example: New Plymouth District Plan) Clarus requests 20m from the pipeline which is 14m from the edge of the designation.	Change the definition to: <i>means an area measured <del>6m</del> <u>14m</u> from the edge of the designation</i>
5	Definitions	Hazardous facility	Support in part	The intent of the definition is supported. Clarus considers that this should not include the	Include in the definition: <i>...and excludes:</i>

#	Chapter	Provision	Position	Reasons	Relief Sought
				gas transmission pipeline, but this is not clear from the rule.	<u>the gas transmission pipeline</u> or words to similar effect
6	Definitions	Minor upgrading	Support	This definition is important to allow essential infrastructure to be operated, maintained and upgraded where the effects of this are minimal.	Retain
7	Definitions	Regionally significant infrastructure	Support	Clarus supports the identification and protection of regionally significant infrastructure in line with Northland RPS objectives and policies	Retain
8	Definitions	Renewable electricity generation activities	Support in part	<p>This definition from the National Planning Statement is supported but it is limited to electricity. The District plan should also define and support other forms of renewable energy generation.</p> <p>These may arise from (e.g.) landfill gas capture, biowaste digestion, wastewater treatment plant capture or importation. Hydrogen fuel cells are a further possible renewable energy source, which may not meet the definition of</p>	<p>Provide an additional definition of renewable energy generation activities and use this in supportive objectives, policies and rules. A proposed definition is:</p> <p><b><u>Renewable energy generation activities:</u></b> <u>Means the construction, operation and maintenance of structures associated with any form of renewable energy generation, including downstream products such as green hydrogen or ammonia.</u></p>

#	Chapter	Provision	Position	Reasons	Relief Sought
				<p>'renewable electricity generation' under the NPS or the District Plan, as the energy is not directly generated from "solar, wind, hydroelectricity, geothermal, biomass, tidal, wave, or ocean current energy sources."</p> <p>These forms of renewable energy should be supported to the same extent as renewable electricity generation. It is noted that <i>renewable energy</i> as defined in the RMA and the Proposed District Plan is wider than renewable electricity and includes geothermal and biomass sources.</p> <p>Northland Regional Policy Statement Policy 5.4.1 requires: <i>...supporting the sustainable use and development of Northland's renewable energy resources</i></p> <p>not limiting this to renewable <u>electricity</u>. It is appropriate that the District Plan gives effect to the RPS policy in full.</p>	

#	Chapter	Provision	Position	Reasons	Relief Sought
	Definitions	Green hydrogen	Propose additional definition	Builds on the renewable energy definition and supports Districts' and national objectives/strategies for energy and climate resilience and emissions reduction.	New definition: <b><u>Green Hydrogen</u></b> refers to hydrogen produced through the electrolysis of water using electricity generated from renewable sources.
9	Definitions	Flood Hazard Area (defined as 1% AEP) High Risk Flood Area (defined as 10% AEP) High Risk River Flood Area (defined as 10% AEP) River Flood Hazard Area (defined as 1% AEP) River Flood Hazard Zone (1, 2 and 3) – defined on the planning maps	Support in part	The way these terms are used is confusing. There seem to be more terms than are strictly required.  We understand that: <ul style="list-style-type: none"> <li>• 1% AEP is River Flood Hazard Area 3</li> <li>• 2% AEP is River Flood Hazard Area 2</li> <li>• 10% AEP is River Flood Hazard Area 1</li> </ul>	Review these terms and clarify their application, possibly deleting and/or renaming some terms.  Ensure that linkages with policies and rules are as intended.
10	Definitions	Sensitive activity	Support in part	This definition is applied in INF-R48 (sensitive activities in National Grid Yard) and INF-R54 (sensitive activities in gas or petroleum pipeline corridor). Clarus agrees that these activities need to be identified to reduce risks associated with	Include:  <b><u>... places of assembly, places of worship and marae.</u></b>



#	Chapter	Provision	Position	Reasons	Relief Sought
				<p>their location. There are other activities that equally should be included, including places of assembly, places of worship and marae.</p> <p>Clarus notes that sensitive activities may require different measures relating to the National Grid than they do for the gas transmission pipeline.</p>	
11	Definitions	Significant hazardous facility	Support	<p>It is important that hazardous facilities are identified and managed.</p> <p>Clarus understand that this definition does not include the gas transmission pipeline, but would include gas stored in containers or vessels above the quantity thresholds.</p>	Retain
12	Definitions	Temporary infrastructure	Support	It is important that temporary infrastructure is provided for	Retain
13	Definitions	Vulnerable activities	Neutral	This term does not appear in policies or rules and could be deleted. It may be a duplication of <i>sensitive activities</i> .	Delete if necessary
Part 2 District Wide Matters					

#	Chapter	Provision	Position	Reasons	Relief Sought
ENERGY, INFRASTRUCTURE AND TRANSPORT					
14	REG - Renewable Electricity Generation	Whole chapter	Support in part	The intent of the chapter is supported but we do not consider that it should be limited to renewable electricity. While this is the subject of the NPS-REG there are other forms of renewable and low-carbon energy that should be equally supported. These may arise from (e.g.) landfill gas capture, biowaste digestion, wastewater treatment plant capture or importation. These are supported by Northland RPS Policy 5.4.1.	Rename the chapter ' <u>Renewable Energy Sources and Electricity Generation</u> '  Alter the existing objectives, policies and rules (including their names) as requested to support the development and use of renewable gas and liquid energy sources and process heat energy as well as renewable electricity. One additional policy is also requested.  Alternatively, include additional objectives, policies and rules that specifically address the generation of non-electrical renewable energy.
15	REG - Renewable Electricity Generation	Objective REG-O1 Benefits of renewable electricity generation	Support in part	Does not include wider renewable energy sources	Change to:  <i>The benefits of increasing renewable electricity generation activities <u>and other renewable energy production and supply</u>...</i>  Change the objective name accordingly
16	REG - Renewable Electricity Generation	Objective REG-O2 Enabling renewable electricity generation to support well-being	Support in part	Does not include wider renewable energy sources	Change to:

#	Chapter	Provision	Position	Reasons	Relief Sought
					<p><i>...renewable electricity generation activities <u>and other renewable energy production and supply</u>...</i></p> <p>Change the objective name accordingly</p>
17	REG - Renewable Electricity Generation	Objective REG-O3 Managing adverse effects of renewable electricity generation	Support in part	Does not include wider renewable energy sources	<p>Change to:</p> <p><i>...renewable electricity generation activities <u>and other renewable energy production and supply</u>...</i></p> <p>Change the objective name accordingly</p>
18	REG - Renewable Electricity Generation	Objective REG-O4 Adverse effects on renewable electricity generation activities	Support in part	Does not include wider renewable energy sources	<p>Change to:</p> <p><i>...renewable electricity generation activities <u>and other renewable energy production and supply</u>...</i></p> <p>Change the objective name accordingly</p>
19	REG - Renewable Electricity Generation	Policies REG-P1 REG-P3 REG-P4 REG-P5 REG-P6	Support in part	Do not include wider renewable energy sources	<p>Change renewable electricity generation, wherever the term appears, to:</p> <p><i>...renewable electricity generation activities <u>and other renewable energy production and supply</u>...</i></p> <p>Change the policy name accordingly</p>

#	Chapter	Provision	Position	Reasons	Relief Sought
		REG-P7 REG-P9 REG-P10			
20	REG - Renewable Electricity Generation	New policy (after REG-P2)		A further policy is required to provide support for renewable energy development other than electricity	New policy: <b><u>REG-Pxx Enable the effective development, operation, maintenance and upgrade of non-electrical renewable energy activities.</u></b>  <u>Provide for the effective and efficient development, operation, maintenance and upgrading of activities associated with renewable gas and liquid energy, biomass, process heat and other non-electrical energy sources at a range of scales.</u>
21	REG - Renewable Electricity Generation	Rule REG-R2 Operation, maintenance and repair of existing renewable electricity generation activities	Support in part	Does not include wider renewable energy sources	Change the rule name to:  <u>...renewable electricity generation activities and other renewable energy production and supply</u>
22	REG - Renewable Electricity Generation	REG-R10 Any other renewable electricity generation activity not provided for as a permitted, restricted discretionary,	Support in part	Does not include wider renewable energy sources	Change the rule name to:  <u>Renewable <del>electricity</del> energy generation activities not otherwise provided for</u>

#	Chapter	Provision	Position	Reasons	Relief Sought
		discretionary or non-complying activity			Change the text to: <i>Any other renewable electricity generation activity <u>or other renewable energy production and supply</u></i>
23	INF – Infrastructure	Whole chapter	Support in part	Support the overall direction of the chapter subject to specific requests below. To the extent that any changes are proposed to the chapter during the reporting and hearings process Clarus may seek to respond to these at the time.	Retain the chapter as notified, subject to making the changes proposed in this submission.
24	INF – Infrastructure	Objectives INF-O1 to INF-O4	Support	These are appropriate and necessary	Retain
25	INF – Infrastructure	Policies INF-P1 to INF-P4	Support	These are appropriate and necessary.	Retain
26	INF – Infrastructure	Policy INF-P5	Support in part	INF-P5 recognises that linear and other infrastructure may need to be located in or traverse areas that are protected for their landscape values. However ‘ <u>best practicable option</u> ’ may not be the ideal term to use in the policy, as it has a very specific meaning in the RMA, which does not wholly apply e.g. “the	Replace <i>best practicable option</i> with: <u><i>most appropriate option</i></u>

#	Chapter	Provision	Position	Reasons	Relief Sought
				nature of the discharge or emission” and “the current state of technical knowledge”. We suggest the policy uses another term such as ‘most appropriate option’	
27	INF – Infrastructure	Policy INF-P6	Oppose in part	The intent of the policy is supported, but the term minimise requires some qualification. Infrastructure can be large scale and it may be difficult to minimise adverse effects. We suggest the addition of the words ‘to the extent technically and economically practical’. This may be implied but it is not specifically stated.	Amend as follows:  <i><u>Minimise adverse effects of infrastructure on the environment to the extent technically and economically practical,...</u></i>
28	INF – Infrastructure	<b>General Infrastructure</b>  INF-R1 Operation, maintenance and repair, removal of above and underground infrastructure and ancillary vehicle access tracks	Support in part	Non-complying status under subpart (2) where the standards are not met in these zones is not supported. Restricted discretionary status is more appropriate, focused on visual and health and safety matters.	Amend subpart (2) to be restricted discretionary and add suitable assessment criteria as follows.  <i><u>Matters of discretion are limited to the following effects, including measures for their avoidance, remedy or mitigation:</u></i>  <i><u>• Visual effects</u></i>  <i><u>• Effects of earthworks including sediment runoff, dust and visual effects</u></i>

#	Chapter	Provision	Position	Reasons	Relief Sought
					<ul style="list-style-type: none"> <li>• <u>Effects on health and safety</u></li> <li>• <u>Effects on vehicular access and public access</u></li> </ul>
	INF – Infrastructure	Rule INF-R3 to INF-R9	Support	The rules are generally necessary and appropriate.	Retain
29	INF – Infrastructure	<b>Electricity distribution</b> Rule INF-R13 Below ground electricity distribution lines	Support	When undergrounding of lines is practical it should not require consent	Retain
30	INF – Infrastructure	Rule INF-R14 Aboveground electricity distribution lines and support structures	Support in part	<p>Permitted activity status under subpart (1) in zones GRZ and RLZ and adjacent roads is supported.</p> <p>Discretionary status under subpart (2) for these zones where the standards are not met is not supported.</p> <p>Restricted discretionary status is more appropriate, focused on visual and health and safety matters.</p> <p>Subpart (3) for all other zones and their roads should be permitted with standards to a level and only then restricted discretionary (see following</p>	<p>Retain subpart (1)</p> <p>Amend subpart (2) to be restricted discretionary and add suitable assessment criteria.</p> <p><u>Matters of discretion are limited to the following effects, including measures for their avoidance, remedy or mitigation:</u></p> <ul style="list-style-type: none"> <li>• <u>Visual effects</u></li> <li>• <u>Effects of earthworks including sediment runoff, dust and visual effects</u></li> <li>• <u>Effects on health and safety</u></li> <li>• <u>Effects on vehicular access and public access</u></li> </ul>

#	Chapter	Provision	Position	Reasons	Relief Sought
				submission point for proposed permitted activity rule).	
31	INF – Infrastructure	Proposed new rule		A permitted activity rule is required to enable lines and structures in other zones (other than Rural and Rural Lifestyle Zones and their roads), subject to compliance with standards	<p>New rule as follows:</p> <p><b><u>All zones other than General rural zone, or Rural lifestyle zone</u></b></p> <p><b><u>Road adjacent to zones other than General rural zone or Rural lifestyle zone</u></b></p> <p><b><u>Activity status: Permitted</u></b></p> <p><b><u>Where:</u></b></p> <p>a) <u>The line is a customer connection for up to 3 users with up to one new support structure; or</u></p> <p>b) <u>The line is in the road and support structures do not exceed a height of 12m; or</u></p> <p>c) <u>Any support structure is a replacement within 2m horizontal distance of the existing support structure.</u></p> <p><b><u>Activity status when not achieved: Restricted Discretionary</u></b></p>
32	INF – Infrastructure	INF-R15 Substations and associated transformers and switching stations	Support in part	Permitted activity status under subpart (1) in zones GRZ, RLZ,	Retain subpart (1)



#	Chapter	Provision	Position	Reasons	Relief Sought
				<p>HIZ and adjacent roads is supported.</p> <p>Discretionary status under subpart (2) where standards (a) to (c) are not met in these zones is not supported.</p> <p>Restricted discretionary status is more appropriate, focused on visual and health and safety matters.</p>	<p>Amend subpart (2) to be restricted discretionary and add suitable assessment criteria.</p> <p><u>Matters of discretion are limited to the following effects, including measures for their avoidance, remedy or mitigation:</u></p> <ul style="list-style-type: none"> <li>• <u>Visual effects</u></li> <li>• <u>Effects of earthworks including sediment runoff, dust and visual effects</u></li> <li>• <u>Effects on health and safety</u></li> <li>• <u>Effects on vehicular access and public access</u></li> </ul>
33	INF – Infrastructure	<p><b>Liquid and gas fuel networks</b></p> <p>Rule INF-R16 Below ground pipelines for the conveyance of liquid fuels and gas</p>	Support in part	<p>Permitted activity status under subpart (1) in all zones is supported.</p> <p>Discretionary status under subpart (2) where the 2,000kpa standard is exceeded is not supported. Restricted discretionary status is more appropriate, focused on visual and health and safety matters. Earthworks effects are managed by other rules.</p>	<p>Retain subpart (1)</p> <p>Amend subpart (2) to be restricted discretionary and add suitable assessment criteria.</p> <p><u>Matters of discretion are limited to the following effects, including measures for their avoidance, remedy or mitigation:</u></p> <ul style="list-style-type: none"> <li>• <u>Visual effects</u></li> <li>• <u>Effects of earthworks including sediment runoff, dust and visual effects</u></li> <li>• <u>Effects on health and safety</u></li> </ul>

#	Chapter	Provision	Position	Reasons	Relief Sought
					<ul style="list-style-type: none"> <li><u>• Effects on vehicular access and public access</u></li> </ul>
34	INF – Infrastructure	Rule INF-R17 Aboveground pipelines for the conveyance of liquid fuels and gas	Support in part	<p>Permitted activity status under subpart (1) in all zones is supported. Roads are excluded, which is acceptable for above ground pipelines.</p> <p>Discretionary status under subpart (2) where the 2,000kpa standard is exceeded is not supported. Restricted discretionary status is more appropriate, focused on visual and health and safety matters. Earthworks effects are managed by other rules.</p> <p>New pipelines have limited effects when attached to an existing bridge or structure.</p>	<p>Retain subpart (1)</p> <p>Amend subpart (2) to be restricted discretionary and add suitable assessment criteria focused.</p> <p><u>Matters of discretion are limited to the following effects, including measures for their avoidance, remedy or mitigation:</u></p> <ul style="list-style-type: none"> <li><u>• Visual effects</u></li> <li><u>• Effects of earthworks including sediment runoff, dust and visual effects</u></li> <li><u>• Effects on health and safety</u></li> <li><u>• Effects on vehicular access and public access</u></li> </ul> <p>Add after (c):</p> <p><u>Or: (d) the pipeline is attached to an existing bridge or structure.</u></p>
35	INF – Infrastructure	Rule INF-R18 Storage facilities, pump stations and distribution structures for liquid fuels and gas	Support in part	<p>Permitted activity status under subpart (1) in all zones is supported. Roads are excluded, which is acceptable as facilities will normally be on a private land parcel.</p>	<p>Retain subpart (1)</p> <p>Change 1(b) to 30m<sup>2</sup></p> <p>Amend subpart (2) to be restricted discretionary and add suitable assessment criteria focused on visual and health and safety matters.</p>

#	Chapter	Provision	Position	Reasons	Relief Sought
				<p>30m<sup>2</sup> is a more suitable area for a permitted structure or building as it aligns with the Building Act exemption for buildings such as sleepouts.</p> <p>Discretionary status under subpart (2) where the 2,000kpa standard is exceeded is not supported. Restricted discretionary status is more appropriate, focused on visual and health and safety matters. Earthworks effects are managed by other rules.</p> <p>This rule should apply to new facilities only. Upgrades to existing facilities should be permitted under the provisions enabling minor upgrading.</p>	<p><u>Matters of discretion are limited to the following effects, including measures for their avoidance, remedy or mitigation:</u></p> <ul style="list-style-type: none"> <li>• <u>Visual effects</u></li> <li>• <u>Effects of earthworks including sediment runoff, dust and visual effects</u></li> <li>• <u>Effects on health and safety</u></li> <li>• <u>Effects on vehicular access and public access</u></li> </ul> <p>Add a note to the effect that:</p> <p><u>Note: This rule applies to new facilities only. Upgrades to existing facilities are permitted (subject to compliance with standards) under INF-R2 and INF-R4.</u></p>
36	INF – Infrastructure	<p><b>Activities and structures within the gas or petroleum pipeline corridor</b></p> <p>Rule INF-R53 New structures or buildings located within the gas or petroleum pipeline corridor</p>	Support in part	<p>This rule may be misinterpreted by plan users. It reads at first glance that new buildings and structures are permitted within the corridor, however it is only fencing that is permitted and all other buildings and structures require restricted discretionary consent. It would be better presented as a restricted</p>	<p>Make this rule a restricted discretionary consent with a permitted activity exception for fencing.</p> <p>Add as a permitted activity condition for fencing:</p> <p><u>Does not compromise the stability or integrity of the gas or the petroleum transmission network and their operation, maintenance and</u></p>

#	Chapter	Provision	Position	Reasons	Relief Sought
				<p>discretionary consent with an exception for fencing.</p> <p>The restricted discretionary status for most structures is supported by Clarus, as new buildings and structures can affect access to the pipeline, create a risk to the pipeline during construction and create a risk to their users.</p> <p>Fence holes and fence post driving can also pose a risk to the pipeline. A deer fence post hole (or driven post) may be up to approx. 1m below ground level. For this reason there are legislative (AS/NZS 2885 High Pressure Pipeline Systems) and pipeline easement provisions that also restrict fencing. These should be noted in the rule so that it is clear non-RMA provisions will still apply. This is similar to the way Council has referenced the Code of Practice NZECP 34:2001 for activities related to electrical infrastructure.</p> <p>The pipeline operators should be consulted in every case under the restricted</p>	<p><u>upgrading, with reference to AS/NZS 2885 High Pressure Pipeline Systems:</u></p> <p>Require that the operator will be an affected party so that persons wishing to build within the pipeline corridor need to consult with the operator, as follows.</p> <p><u>Note: The pipeline owner and operator will be considered an affected party in accordance with section 95E of the Act.</u></p>

#	Chapter	Provision	Position	Reasons	Relief Sought
				<p>discretionary rule, rather than referring to 'any consultation'. This would be consistent with INF-R47 (buildings and structures within the National Grid Yard).</p> <p>Clarus notes that it has requested in a submission on the Definitions section that the Gas or Petroleum Pipeline Corridor should be 14m either side of the designation (20m either side of the pipeline).</p>	
37	INF – Infrastructure	Rule INF-R54 New sensitive activities located within the gas or petroleum pipeline corridor	Support in part	<p>Clarus agrees that sensitive activities should generally be discouraged within the corridor.</p> <p>The pipeline operators should be consulted in every case under the restricted discretionary rule, rather than referring to 'any consultation'. This would be consistent with INF-R48 (A new sensitive activity including the construction or relocation of buildings for a sensitive activity in the National Grid Yard).</p> <p>Clarus notes that the equivalent rule for the National Grid Yard INF-R48 is a non-complying</p>	<p>Require that the operator will be an affected party so that persons wishing to build within the pipeline corridor need to consult with the operator, as follows.</p> <p><u><i>Note: The pipeline owner and operator will be considered an affected party in accordance with section 95E of the Act.</i></u></p> <p>Correct a typo in 2(a) – 'land' should be 'and'</p> <p>Change (3) to:</p> <p><b><i>Activity status when compliance not achieved: <del>Not Applicable</del> Non-Complying</i></b></p>

#	Chapter	Provision	Position	Reasons	Relief Sought
				<p>activity. Clarus requests that non-complying status should also apply to Rule R54 where compliance is not achieved with the matters of discretion.</p> <p>Clarus notes that it has requested in a submission on the Definitions section that the Gas or Petroleum Pipeline Corridor should be 14m either side of the designation (20m either side of the pipeline).</p>	
38	INF – Infrastructure	Rule INF-R55 Earthworks within the gas or petroleum pipeline corridor	Support in part	<p>Clarus supports limiting earthworks within the corridor.</p> <p>The current rule is too enabling of earthworks by other parties. It has no limit on the area or volume or (temporary) depth. A depth standard applied in other district plans is 0.4m.</p> <p>1a(i) is not certain or enforceable as it requires a subjective judgement of 'compromised'. It is not an appropriate permitted activity standard</p> <p>1a(iii) is not relevant as tree planting is not earthworks. That said, it should refer to the corridor or the designation</p>	<p>Rename the rule to: <i>Earthworks <u>and tree planting</u> within the gas or petroleum pipeline corridor</i></p> <p>Replace 1a(i) with: <i><u>The depth of excavation is no more than 0.4m; and</u></i></p> <p>Replace 1a(iii) with: <i><u>There must be no planting of trees within <del>10</del> 4 metres of the gas pipeline designation.</u></i></p> <p>Require under 2. that the operator will be an affected party so that persons wishing to build within the pipeline corridor need to consult with the operator, as follows.</p>

#	Chapter	Provision	Position	Reasons	Relief Sought
				<p>(which are mapped), not the pipeline which is not itself mapped.</p> <p>Under 2. (restricted discretionary activity) the pipeline operators should be consulted in every case, rather than referring to 'technical advice'. This would be consistent with the equivalent rule INF-R49 (Earthworks, vertical holes or land disturbance within the National Grid Yard).</p>	<p><u>Note: The pipeline owner and operator will be considered an affected party in accordance with section 95E of the Act.</u></p>
39	INF – Infrastructure	Rule INF-R56 Hazardous substances within the gas or petroleum pipeline corridor	Support in part	<p>Additional storage and use of hazardous substances has potential to exacerbate hazards.</p> <p>The pipeline operators should be consulted and considered as an affected party.</p>	<p>Note the need for consultation with the operator, as follows.</p> <p><u>Note: The pipeline owner and operator will be considered an affected party in accordance with section 95E of the Act.</u></p>
40	INF – Infrastructure	Rule INF-R57 Subdivision of land within the gas or petroleum pipeline corridor	Support in part	<p>Part 1a. should refer to the corridor or the designation (which are mapped), not the pipeline which is not itself mapped.</p>	<p>Change 1a to:</p> <p><u>Any proposed building platform must be located at least 20m 14m from the gas pipeline designation or any above ground station or 30m from the boundary of the land title containing any above ground station..</u></p>

#	Chapter	Provision	Position	Reasons	Relief Sought
41	CL – Contaminated Land	Whole chapter	Support	The provisions are necessary and appropriate	Retain
42	HS – Hazardous Substances	Whole chapter	Support	The provisions are necessary and appropriate, other than as specifically noted below.	Retain
43	HS – Hazardous Substances	Rule HS-R1 The use, storage or disposal of any hazardous substances	Support in part	<p>Rule HS-R1 could unintentionally regulate matters that are already regulated elsewhere. Council should focus its regulation on the establishment of <u>facilities</u> which use, store or dispose of hazardous substances.</p> <p>This rule overlaps with other rules and this should be clarified.</p>	<p>Change the name of the rule to:</p> <p><i><u>The Facilities for the use, storage or disposal of any hazardous substances, where not addressed by another rule in this section.</u></i></p>
44	NH - Natural Hazards	Objectives NH-01 to NH-03	Support	The provisions are necessary and appropriate	Retain
45	NH - Natural Hazards	Policies NH-P1 to NH-P13	Support	The provisions are necessary and appropriate	Retain
46	NH - Natural Hazards	NH-R11 Earthworks within a coastal erosion hazard area, coastal flood hazard area or river flood hazard area	Support	<p>Clarus understands this rule applies to all activities and does not exclude infrastructure works. Clarus also understands that the <u>river flood hazard area</u> is defined in the Plan as the area within the 1% AEP flood notation on the</p>	<p>Add:</p> <p><i><u>or; (c) the earthworks are for the repair, maintenance or minor upgrade to existing underground network utility infrastructure</u></i></p>



#	Chapter	Provision	Position	Reasons	Relief Sought
				<p>planning maps. This is a low risk flood area as it will only be flooded for one or two days every 100 years.</p> <p>1a(i) also refers to the <u>High Risk Hazard Area</u> which is the area subject to the 10% AEP. This is not consistent with the rule title which refers to the 1% AEP area only. This could be interpreted also to include the 10% AEP extent, if this is intended it could be made clear.</p> <p>The Gas Pipeline Designation FGL – First Gas Limited provides for up to 50m of pipeline renewal works at any time, more than this would require consent under the District Plan rules. The existing gas transmission pipeline crosses a large number of river flood hazard and high risk river flood hazard areas.</p>	
47	NH - Natural Hazards	NH-R13 Infrastructure located in a coastal erosion hazard area, coastal flood hazard area, or river flood hazard area	Support in part	<p>This rule is appropriate for new infrastructure.</p> <p>Minor upgrading of aboveground infrastructure (involving relocation) is</p>	<p>Change the name of the rule to:</p> <p><i>NH-R13 <u>New</u> Infrastructure located in a coastal erosion hazard area, coastal flood hazard area, or river flood hazard area</i></p>

#	Chapter	Provision	Position	Reasons	Relief Sought
				<p>captured by part 1a of this rule, but it is silent on minor upgrading of underground infrastructure.</p> <p>The existing gas transmission pipeline crosses a large number of river flood hazard areas. Provision should be made for minor repairs and alterations similar to Rule NH-R1 which is for non-infrastructure land uses.</p> <p>At present there does not seem to be a rule which allows this, unless it is INF-R2 (New underground infrastructure (including customer connections) not provided for by another rule in this table, or upgrading of underground infrastructure).</p>	<p>Change (a) to  <u>a. Relocation of existing above ground infrastructure</u></p> <p>Include a rule for infrastructure minor upgrading which does not involve relocation, similar to NH-R1.</p>
48	NH - Natural Hazards	New rule for minor upgrading of existing infrastructure in the coastal erosion hazard area, coastal flood hazard area, or river flood hazard area which does not involve relocation	New provision	Minor upgrading of underground infrastructure has limited effects in flood hazard areas which can be managed by appropriate standards	<p>Add a new rule before NH-R13:  <u>NH-Rxx Minor upgrading of infrastructure located in a coastal erosion hazard area, coastal flood hazard area, or river flood hazard area</u></p> <p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p>

#	Chapter	Provision	Position	Reasons	Relief Sought
					<p>a) <u>The work is undertaken by or on behalf of the operator and;</u></p> <p>b) <u>The ground surface is reinstated to its existing level and stabilised as soon as practical upon completion of the works and;</u></p> <p>c) <u>Best practice erosion and sediment control measures are used; and</u></p> <p>d) <u>Any structure does not result in the diversion or transfer of flood water to, or increase ponding or flooding on other property</u></p>
49	Ecosystems and Indigenous Biodiversity	ECO-R1 Indigenous vegetation clearance and any associated land disturbance for specified activities	Support	It is important that clearance for essential operation, repair and maintenance of infrastructure is permitted.	Retain
50	Ecosystems and Indigenous Biodiversity	ECO-R2 Indigenous vegetation clearance and any associated land disturbance not provided for under ECO-R1	Support	We consider that this rule and its thresholds would apply to minor upgrading of infrastructure	Retain
51	Natural Character	NATC-P2 Indigenous vegetation clearance and earthworks	Support	We consider that under subpart 1 of this policy 'lawfully established activities' includes infrastructure	Retain

#	Chapter	Provision	Position	Reasons	Relief Sought
				The existing gas transmission pipeline crosses a large number of river margins	
52	Natural Character	NATC-P3 Buildings and structures	Support	The existing gas transmission pipeline crosses a large number of river margins	Retain
53	Natural Character	NATC-P5 Assessment of resource consents	Support	The assessment matters are appropriate, in particular 7. <i>The operational need or functional need of any regionally significant infrastructure to be in the particular location</i>	Retain
54	Natural Character	NATC-R1 Additions and alterations and maintenance of buildings and structures in wetland, lake and river margins	Support	The existing gas transmission pipeline crosses a large number of river margins	Retain
55	Natural Character	NATC-R2 New building or structures in wetland, lake and river margins	Support in part	It would be appropriate for a level of infrastructure to be included.	Add: <u>1.b.vi. underground infrastructure</u>
56	Natural Character	NATC-R3 Earthworks in wetland, lake and river margins	Support in part	It should be clarified that this rule includes pipelines, including transmission pipelines	Change 1b to: <i>The earthworks <u>is are</u> for the maintenance of lawfully established roads, fences, utility connections, <u>existing infrastructure...</u></i>

#	Chapter	Provision	Position	Reasons	Relief Sought
57	Natural Character	NATC-R4 Indigenous vegetation clearance in wetland, lake and river margins	Support in part	It should be clarified that this rule includes pipelines, including transmission pipelines, which may be included in utility connections but the term is not defined in the Plan	Change 1b to: <i>The earthworks is <u>are</u> for the maintenance of lawfully established roads, fences, utility connections, <u>existing infrastructure</u>...</i>
58	NFL - Natural Features and Landscapes	NFL-P2 Existing use and development	Support	Recognises the need for existing lawful activities to continue	Retain
59	NFL - Natural Features and Landscapes	NFL-P5 Regionally significant infrastructure	Support	Recognises the need for existing regionally significant infrastructure to be operated and upgraded	Retain
60	NFL - Natural Features and Landscapes	NFL-R1 NFL-R2 NFL-R3	Support	Recognises the need for existing lawful activities to continue and be operated and upgraded	Retain
61	NFL - Natural Features and Landscapes	NFL-R4 Earthworks	Support in part	It should be clarified that part 1 (permitted) of this rule includes pipelines, including transmission pipelines, which may be included in utility connections but the term is not defined in the Plan.	Change 1b to: <i>The earthworks are for the maintenance of lawfully established roads, fences, utility connections, <u>existing infrastructure</u>...</i>  <i>Or add a third clause</i> <i><u>1c. The earthworks are associated with existing infrastructure.</u></i>

#	Chapter	Provision	Position	Reasons	Relief Sought
				Please also refer to our submission on Standard NFL-S4	
62	NFL - Natural Features and Landscapes	NFL-R5 Maintenance and upgrading of existing network utilities, parks and community infrastructure	Support	Recognises the need for existing lawful activities to continue and be operated and upgraded	Retain Exclude existing infrastructure maintenance/ upgrade Consequential changes to S4 if required.
63	SUB - Subdivision	Objectives SUB-01 to SUB-05	Support	These provisions are necessary and appropriate, in particular SUB-O4 Infrastructure	Retain
64	SUB – Subdivision	Policies	Support in part	The policies are supported overall. There is no policy which supports the need to manage subdivision in the gas transmission pipeline corridor or the National Grid yard. This would support the relevant standards S9 and S10.	Add the following text as a new policy or an addition to an existing policy.  <u>Manage the subdivision of land within the National Grid Corridor or Gas or Petroleum Transmission Pipeline Corridor to avoid significant adverse effects on the operation of this infrastructure and on sensitive activities locating near to it, including control of the location of building platforms and protecting access to the infrastructure for operation and maintenance.</u>
65		SUB-R1 Boundary adjustments	Support in part	It is possible that a boundary adjustment could affect access to the Gas or Petroleum	Add to part 2:  <u>d. Access to the Gas or Petroleum Transmission Pipeline Corridor and</u>

#	Chapter	Provision	Position	Reasons	Relief Sought
				Transmission Pipeline Corridor and this should be included in the matters of control.	<u>National Grid Yard for the owner and operator.</u>
66	SUB - Subdivision	SUB-R3	Support in part	It is possible that a subdivision could affect access, maintenance or operation of the existing Gas or Petroleum Transmission Pipeline beyond the area protected by designation, through unintended consequences. Consideration of this should be included in the matters of control.	Add to part 3. i. Impacts upon existing infrastructure that may be located within the parent lot.
67	SUB - Subdivision	SUB-S10 Subdivision of land within the Gas Transmission Pipeline Corridor	Support in part	<p>The provisions are necessary and appropriate.</p> <p>This rule should be linked to the location of the designation not the pipeline, for greater certainty</p> <p>The hazard associated with an above ground station for adjacent residential or other sensitive activities is greater than the hazard associated with the pipeline itself which is buried in the ground. Accordingly a greater setback for building platforms from</p>	<p>Change the standard to:</p> <p>1. Any proposed building platform must be located at least <del>20m</del> <u>14m</u> from the gas <u>or petroleum</u> pipeline <u>designation</u> or <u>30m from the boundary of the land title containing</u> any above ground station.</p>

#	Chapter	Provision	Position	Reasons	Relief Sought
				<p>above ground stations is appropriate.</p> <p>Clarus notes that it has requested in a submission on the Definitions section that the Gas or Petroleum Pipeline Corridor should be 14m either side of the designation (20m either side of the pipeline). Amending the standard allows for a consistent approach within the Plan.</p>	
68	EW - Earthworks	EW-O1 Earthworks activities within the District	Support	The provision is necessary and appropriate	Retain
69	EW – Earthworks	EW-P1 Enable appropriate earthworks EW-P2 Manage the effects of earthworks EW-P5 Effects on infrastructure	Support	The provisions are necessary and appropriate	Retain
70	EW - Earthworks	EW-R1 Earthworks EW-R2 Land disturbance	Support	The provisions are necessary and appropriate	Retain
71	EW - Earthworks	EW-S1 Maximum earthworks thresholds	Support	It is noted that this standard does not apply to 2(c) Earthworks for the operation, maintenance and repair of	Retain



#	Chapter	Provision	Position	Reasons	Relief Sought
				existing infrastructure. Therefore earthworks for this purpose are not limited by the standard although they may be limited by rules in other chapters of the Plan.  However the standard will apply to new infrastructure.	
72	EW - Earthworks	EW-S2 Cut height and fill depth	Support	Clarus understands that this standard does not apply where the existing ground level does not permanently change, as this would be considered 'land disturbance' under Rule EW-R2.	Retain
73	EW - Earthworks	EW-S3 to EW-S7	Support	The provisions are necessary and appropriate	Retain
74	TEMP – Temporary Activities	Objectives TEMP-01 and TEMP-02	Support	The provisions are necessary and appropriate	Retain
75	TEMP – Temporary Activities	Policies TEMP-P1 and TEMP-P2	Support	The provisions are necessary and appropriate	Retain
76	TEMP – Temporary Activities	Rules TEMP-R1 and TEMP-R3	Support	The provisions are necessary and appropriate	Retain
Part 3 – Area Specific Matters ZONES					

#	Chapter	Provision	Position	Reasons	Relief Sought
77	GRUZ – General rural zone	Overview	Support in part	<p>Clarus acknowledges that the primary purpose of the GRU Zone is for primary production and supporting activities. Infrastructure also needs to be in rural locations. Almost all the length of the gas and petroleum transmission pipelines pass through this zone.</p> <p>Linear infrastructure must be located in or pass through rural zones to connect centres of population (e.g. roads and telecommunications) or to connect the generation or source to the user (e.g. gas and electricity). Other infrastructure may also need to locate in rural zones to be close to natural resources, to have sufficient land to operate on, or to be distant from sensitive receivers. Renewable electricity (mainly wind and solar) is supported by the REG chapter, which prevails over the zone provisions. Other renewable energy forms such as biofuels are not similarly supported by currently proposed policies.</p>	<p>Change the last sentence of the first paragraph to:</p> <p><i>...have a functional or operational need to be in a rural environment, such as rural industry, <u>infrastructure including gas and electricity networks and production facilities which depend on natural resources.</u></i></p> <p>Change the fourth paragraph to:</p> <p><i>Industrial and commercial activities unrelated to primary production <u>or the use of natural resources</u>, including retail, are not anticipated or enabled in the General rural zone as these are best located in urban areas with appropriate infrastructure.</i></p> <p>Delete the term 'non-rural' from the plan as it is not precise and is unnecessarily exclusive of other activities that may need to be rurally located.</p>

#	Chapter	Provision	Position	Reasons	Relief Sought
				The need for infrastructure in the GRU Zone is acknowledged in the chapter in some policies, however the general tone of the chapter is that 'non-rural' activities do not belong in the rural zone. This is complicated by the lack of a definition for non-rural, making it a subjective term. It could include primary processing.	
78	GRUZ – General rural zone	GRUZ-O1 Purpose of the General rural zone	Support in part	The objective does not allow for other activities which need to be in a rural location	<p>Change the objective as follows:</p> <p><i>The purpose of the General rural zone is to:</i></p> <ol style="list-style-type: none"> <li>1. <i>Enable primary production activities;</i></li> <li>2. <i>Provide for ancillary activities that support primary production; and</i></li> <li>3. <i><u>Enable non-primary production activities that rely on a rural location, where appropriate; and</u></i></li> <li>4. <i>Restrict incompatible activities that do not have a functional or operational need to be in a rural environment.</i></li> </ol>
NATURAL ENVIRONMENT VALUES					

#	Chapter	Provision	Position	Reasons	Relief Sought
79	GRUZ – General rural zone	GRUZ-P5 Non-rural activities	Support in part	Clarus has submitted elsewhere that ‘non-rural’ is an unclear term and should be deleted from the Plan. In this policy we suggest it is replaced with another term such as ‘activities not dependent on the land resource’. This is a narrower and more precise term than ‘non-rural’, which the plan has applied quite broadly to include primary production and some other activities associated with it.	Amend the policy as follows: <i><u>GRUZ-P5 Non-rural activities Activities not dependent on the land resource</u></i>  <i><u>Avoid non-rural activities that are not dependent on the land resource in the General Rural Zone unless they:</u></i> <i>1. have a functional or operational need...</i>
80	GRUZ – General rural zone	GRUZ-R1 Buildings and structures	Support	The provision is necessary and appropriate	Retain
81	GRUZ – General rural zone	GRUZ-R8 Rural industry	Support	Industry dependent on primary production should be provided for. This may include facilities for renewable fuels from agricultural feedstocks.	Retain
82	GRUZ – General rural zone	GRUZ-R18 Any activity not provided for as permitted, controlled, restricted discretionary or non-complying	Support	Discretionary status is appropriate	Retain
83	GRUZ – General rural zone	Proposed new rule		Processing activities dependent on natural resources that occur in rural areas should be	Add a new rule GRUZ-xx as follows:


#	Chapter	Provision	Position	Reasons	Relief Sought
				<p>provided for to a greater extent that general industrial activities, which are proposed as non-complying activities under Rule GRUZ-R20.</p> <p>Clarus considers that examples of such resource-dependent activities are geothermal energy use and facilities for the creation, storage and processing of hydrogen fuel.</p> <p>It is noted that some of these facilities could be accommodated under GRUZ-R8 (permitted). To the extent that Council considers that they are not, or does not accept the submission on that rule, they should be provided for under this proposed new rule so that they are not deemed as non-complying activities under Rule GRUZ-R21.</p>	<p><u>Facilities for the production, storage or use of renewable energy or renewable energy feedstocks which depend on natural resources found close to the point of use</u></p> <p><u>Activity status: Discretionary</u></p> <p><u>Activity status when compliance not achieved: Not Applicable</u></p>
84	HIZ – Heavy industrial zone	Objectives, policies and rules	Support	The provisions are necessary and appropriate	Retain
DESIGNATIONS					
85	FGL – First Gas Limited	Whole section	Support	The designation is necessary and appropriate. Proposals	Retain, other than the amendments as proposed below

#	Chapter	Provision	Position	Reasons	Relief Sought
				have been made for amendments.	
86	FGL – First Gas Limited	Conditions 1. Purpose of designation	Support in part	<p>It is proposed that the purpose of the designation is extended to decommissioning of part or all of the pipeline should this become necessary in future.</p> <p>This would be subject to a normal outline plan approval process</p>	<p>Change condition 1(1) as follows:</p> <p><i>1. The designation by First Gas Limited (First Gas) is for the operation, maintenance, repair, upgrade <del>and</del>, renewal and <u>decommissioning</u> of the existing gas transmission pipeline and ancillary facilities as required for the transportation of gas and described as follows:...</i></p> <p><i>Change condition 1(2) to:</i></p> <p><i>2. For the purposes of these conditions the designation is subject to the following limitations:...</i></p> <p><i>b. Upgrade will be limited to adding or replacing above ground components provided the district plan relevant permitted activity standards are complied with.</i></p> <p><i>c. <u>Decommissioning will be limited to removal from service and any associated works for removal of the existing pipeline and above ground structures.</u></i></p> <p><i>d. The designation affects...</i></p>

#	Chapter	Provision	Position	Reasons	Relief Sought
87	FGL – First Gas Limited	Conditions Proposed new condition		At present all works on the pipeline would require Outline Plan of Works (OPW) approval or Outline Plan or Outline Plan of Works Waiver. Clarus considers that relatively minor works should be able to be undertaken without OPW or OPW Waiver, subject to acceptable conditions to mitigate effects.	<p>Add a new condition 12:</p> <p><u>12. An outline plan of works pursuant to section 176A of the Resource Management Act 1991 need not be submitted to Council for the following:</u></p> <p>a) <u>Earthworks for the operation, maintenance, or repair of the pipeline and above ground structures, provided that:</u></p> <ul style="list-style-type: none"> <li><u>no more than 50 lineal metres of the pipeline will be excavated at any particular time; and</u></li> <li><u>best practice sediment controls are installed; and</u></li> <li><u>the Council is provided with 10 working days prior notice of the works; or</u></li> </ul> <p>b) <u>Any temporary structures erected for the purposes of allowing maintenance or repair of existing structures and/or equipment for up to a period of one month unless written confirmation is obtained from the Resource Consents Manager (or delegated representative) for an alternative timeframe and will be removed once any maintenance or repair has ceased;</u></p>







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