

Proposed Natural Resources Plan:

Submitter:

**Chorus New Zealand Limited**

Submitter Number:

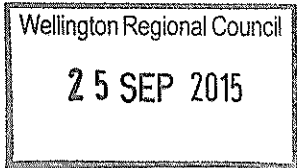
**S144**





25 September 2015

Freepost 3156  
Wellington Regional Council  
PO Box 11646  
**Wellington 6142**



By e-mail: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

Dear Sir/Madam

**Form 5: Submission on the Proposed Natural Resource Plan for the Wellington Region**

This is a submission on the Proposed Natural Resources Plan for the Wellington Region pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

**NAME OF SUBMITTER:** Chorus New Zealand Limited (Chorus)

**ADDRESS FOR SERVICE:** Level 10  
State Insurance Tower  
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PO Box 632  
**WELLINGTON 6140**

Attention: Mary Barton  
Ph: 04 896 4168  
Email: [Mary.Barton@chorus.co.nz](mailto:Mary.Barton@chorus.co.nz)

Chorus New Zealand Limited (Chorus) welcomes the opportunity to make a submission on the Proposed Natural Resources Plan (PNRP). There are a number of matters that in the view of Chorus require amendment prior to the PNRP being made operative. Equally there are a number of proposed provisions that Chorus supports. These are detailed in the table attached to this submission.

**Background to Chorus**

Chorus 'demerged' from Spark New Zealand Trading Limited (formerly Telecom) as a separate company at midnight on 30 November 2011. As part of its business activities, Chorus maintains and builds a network made up of local telephone exchanges, radio communications infrastructure, cabinets and copper and fibre cables. Chorus' telecommunication and radiocommunication facilities and networks are essential services due to the critical role they play in society, both in terms of allowing people and communities to provide for their "wellbeing", and also for assisting to ensure their "health and safety". Chorus' fixed line network connects homes and businesses through an extensive network made up of fibre optic and copper cable. The Ultra Fast Broadband (UFB) and Rural Broadband Initiative (RBI) projects currently underway requires additional fibre cable (both underground and overhead on existing support structures). This network is also supported by a number of radio communication sites ranging from small repeater sites to large microwave stations.

Chorus works with many different retail service providers to give access to the network and develop innovative new products and services. Chorus helps these providers connect their customers to the world.

In addition to supporting customers to deliver fixed line services; Chorus' fibre network also underpins an extensive mobile phone network, which provides a wide range of mobile services to residents and visitors nationally. In order to satisfy customer demands, Chorus is constantly altering and developing both the fixed line and mobile network support infrastructure to ensure services meet the needs of customers and the local community.

Reliance on telecommunications has never been so high and this will continue to grow as an ever expanding range of applications are developed that require access to an ultra fast broadband network. There is also a critical need for the provision of resilient telecommunications networks during emergencies as has been highlighted in the case of the Canterbury earthquakes. Functioning communications networks that support emergency services during such events are crucial, and can be the difference between life and death in some circumstances.

#### **Electronic Communication**

Chorus are happy to receive information about the Proposed Natural Resource Plan via email. Can all email communication please be emailed to [Mary.Barton@chorus.co.nz](mailto:Mary.Barton@chorus.co.nz) and a copy sent to [tom@incite.co.nz](mailto:tom@incite.co.nz)

#### **Trade Competition**

Chorus could not gain an advantage in trade competition through this submission.

#### **Submission on the Proposed Plan Provisions**

Chorus' submissions on the Proposed Natural Resources Plan are set out in the attached table. In relation to the matters raised, Chorus seeks further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

#### **Attendance and Wish to be heard at Hearings**

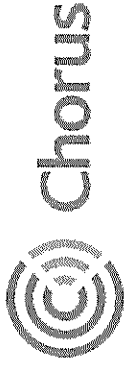
Chorus wishes to speak to our submission at relevant hearings and would be willing to discuss these further with Greater Wellington staff prior to the hearings themselves. If there are any issues of clarification required please contact Tom Anderson of Incite on 04 801 6862 or [tom@incite.co.nz](mailto:tom@incite.co.nz).

Yours sincerely



**Gretchen Joe**  
Head of Property Operations  
Chorus New Zealand Limited

25 September 2015

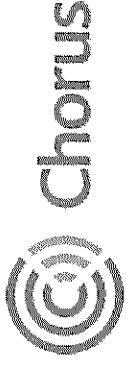


The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
<b>Chapter 2 – Interpretation (Section 2.2 Definitions):</b>			
1	Support	Chorus supports the definition of Earthworks as it specifically excludes cable or pipe laying and maintenance activity, and the construction, repair or maintenance of telecommunication structures.	Retain this definition in its current form.
2	Support with amendment	Chorus supports a definition for Functional Need, however the definition in its current form could lead to ambiguity around what is 'dependent', and could potentially restrict Chorus's core activities which occur in the CMA.	Amend the definition to provide greater clarity around what the word 'dependent' entails.
3	Support with amendment	Chorus supports a definition for Operational Requirement, however, similar to the definition for Functional Need, the definition in its current form could lead to ambiguity around what is 'needs to be carried out'.	Amend the definition to provide greater clarity around what 'needs to be carried out' entails.
4	Oppose	There is no definition of "strategic telecommunication /radiocommunication facility" in either the Telecommunications Act or the Radiocommunications Act.	Amend bullet point two and three of the definition as follows: <ul style="list-style-type: none"> <li>• <i>strategic telecommunication facilities, as defined in section 5 of the Telecommunications Act 2001</i></li> </ul>



Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
		<p>Key concerns with the definition in the Proposed Plan include:</p> <ul style="list-style-type: none"> <li>The confusion and uncertainty generated by the reference to "strategic telecommunication /radiocommunication facility", with no direction provided as to what this encompasses</li> <li>The lack of recognition (by trying to identify some aspects as "strategic") that telecommunication and radiocommunication facilities are interlinked, and as a whole they are essential to the region in terms of their economic and social benefits, as well as being critical in times of emergency and disaster.</li> </ul> <p>This issue has been previously raised with the Greater Wellington Regional Council, most recently in relation to the hearing of Proposed Plan Change 16 to the Porirua City District Plan as well as in relation to this definition contained within the Regional Policy Statement.</p>	<ul style="list-style-type: none"> <li>strategic radiocommunications as defined in section 2(1) of the Radio Communications Act 1989.</li> </ul>

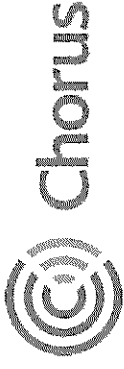


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<b>Chapter 3 Objectives</b>			
5	Beneficial use and development Objective O12	<p>Chorus seeks inclusion of the recognition of the potential health and safety benefits of regionally significant infrastructure.</p> <p>As per the submission on the "Regionally significant infrastructure" definition above, a change is sought to make it clear that all telecommunication and radiocommunication facilities (which are interlinked) are covered by the definition.</p>	<p>Amend Objective 012 as follows:</p> <p><b>Objective 012 (Coastal)</b>  <i>The social, economic, cultural, and environmental and <b>health and safety</b> benefits of regionally significant infrastructure and renewable electricity generation activities.</i></p> <p><b>Objective 012A</b>  <u><b>Recognise that some regionally significant infrastructure has a functional need and/or operational requirement to be located and/or operated in a particular environment.</b></u></p>
6	Beneficial use and development Objective O13	<p>Chorus supports the objective that the use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity. References to existing regionally significant infrastructure within the CMA must be enhanced.</p>	<p>Amend Objective O13 as follows:</p> <p><i>The <b>existing</b> use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.</i></p>
7	Natural Character Form and Function: Objective O21	<p>Chorus seeks recognition of a functional and operational need to provide for telecommunications in some instances within high hazard</p>	<p>Amend Objective 021 as follows:</p> <p><i>Inappropriate use and development in high hazard areas is avoided, <b>other than</b></i></p>

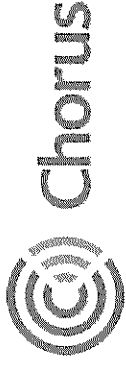
Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
		<p>areas (e.g. cables attached to a structure across a riverbed, or cables above, or on or below a seabed or riverbed). Noting the stringent requirement to “avoid” in the objective, specific recognition is sought in the policy as to when the use and development in these areas may be appropriate.</p>	<p><u>(a) where it has a functional need and/or operational requirement to be located there, and/or</u></p> <p><u>(b) where it is necessary to enable the efficient operation of regionally significant infrastructure.</u></p>
<b>Chapter 4 – Policies:</b>			
8	Oppose in part	<p>Chorus considers that the policy could be improved by making it clear that “the smallest practicable amount is related to the nature and objectives of the activity. Otherwise it could be read as requiring reduction to close to nil.</p>	<p>Amend Policy P4 as follows: <i>Where minimisation of adverse effects is required by policies in the Plan minimisation means reducing adverse effects of the activity to the smallest amount practicable <b>having regard to the nature and objectives of the activity</b> and shall include:....”</i></p>
9	Support with amendment	<p>Chorus supports the intent of Policy P7, but considers that Regionally Significant Infrastructure should also be given recognition when considering uses of land and water.</p>	<p>Amend Policy P7 as follows: <i>The cultural, social and economic benefits of using land and water for:</i> <b><u>(1) Regionally Significant Infrastructure</u></b></p>
10	Support with amendment	<p>There are potential instances where, due to the installation of Regionally Significant Infrastructure, public access to and along the Coastal Marine Area and the beds of rivers</p>	<p>Amend Policy P9 as Follows: <i>Reduction in the extent or quality of public access to and along the coastal marine area and the beds</i></p>



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11	Beneficial Use and Development Policy P12  Support with amendment	and lakes is temporarily disrupted. This should be recognised as an exception in Policy P9  Chorus supports the intent of the policy in recognising the benefits of regionally significant infrastructure. However it is considered that provision (e) should also recognise the functional need of regionally significant infrastructure being located in the certain areas. The Port is not the only Regionally Significant Infrastructure provider which has a functional need to be located in the Coastal Marine Area.	of lakes and rivers shall be avoided except where it is necessary to:  <b><u>(d) protect Regionally Significant Infrastructure</u></b>  Amend Policy P12 as follows:  <b><u>(e) the functional need for and the operational requirements associated with developing, operating, maintaining and upgrading regionally significant infrastructure and renewable energy generation activities, including where those activities are proposed within areas of outstanding natural character and landscapes, high hazards, sites of significant value, ecosystems and habitats with significant indigenous biodiversity value, natural features, sites significant historic heritage value, and sites with significant Mana Whenua.</u></b>
12	Beneficial Use and Development Policy P13  Support with amendment	Chorus supports the intent of the policy as recognising the use, operation, and upgrade of existing regionally significant infrastructure as beneficial and generally appropriate. The removal of infrastructure should also be acknowledged in the policy framework.	Amend Policy P13 as follows:  The use, operation, maintenance, and upgrade, <b>and removal</b> of existing regionally significant infrastructure and renewable energy generation activities are beneficial and generally appropriate.



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13 Beneficial Use and Development Policy P14	Support	Chorus supports the intent of the policy in providing protection from reverse sensitivity effects for regionally significant infrastructure. However effects from incompatible activities can be more than just reverse sensitivity type effects, and this should be recognised in the policy.	Amend Policy P14 as follows:  <i>Regionally significant infrastructure and renewable energy generation activities shall be protected from new incompatible use and development occurring under, over or adjacent to it, by locating and designing any new use and development to avoid, remedy or mitigate any <b>adverse effects</b>, including <b>any</b> reverse sensitivity effects.</i>
14 Natural Character Policy P24	Support with amendment	Chorus supports the intent of the policy, in protecting outstanding natural character in the coastal marine area, however use of the word 'avoid' without the sequential words remedy or mitigate is not appropriate.	Amend Policy P24 as follows:  <i>Areas of outstanding natural character in the coastal marine area will be preserved by:</i> <i>(a) avoiding <b>avoid, remedy or mitigate</b> adverse effects of activities on natural character in areas of the coastal marine area with outstanding natural character, and</i> <i>(b) requiring use and development to be of a type, scale and intensity that will maintain the natural character values of the area, and</i> <i>(c) requiring built elements to be subservient to the dominance of the characteristics and qualities that make up the natural character values of the area, and</i> <i>(d) maintaining the high levels of naturalness of these areas, and</i> <i>(e) avoiding <b>avoid, remedy or mitigate</b> the adverse effects of activities, including those located outside the area, that individually or cumulatively detract from the natural character values of the outstanding natural character area.</i>



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15	Natural Character Policy P25	Support with amendment	Chorus supports the intent of the policy, in protecting outstanding natural character in the coastal marine area, however use of the word 'avoid' without the sequential words remedy or mitigate is not appropriate.	<p>Amend Policy P25 as follows:</p> <p><i>Use and development shall avoid, <b>remedy or mitigate</b> significant adverse effects on natural character in the coastal marine area (including high natural character in the coastal marine area) and in the beds of lakes and rivers, and avoid, remedy or mitigate other adverse effects of activities, taking into account:</i></p> <ul style="list-style-type: none"> <li><i>(a) the extent of human-made changes to landforms, vegetation, biophysical elements, natural processes and patterns, and the movement of water, and</i></li> <li><i>(b) the presence or absence of structures and buildings, and</i></li> <li><i>(c) the particular elements, features and experiential values that contribute significantly to the natural character value of the area, and the extent to which they are affected, and</i></li> <li><i>(d) whether it is practicable to protect natural character from inappropriate use and development through:</i> <ul style="list-style-type: none"> <li><i>(i) using an alternative location, or form of development that would be more appropriate to that location, and</i></li> <li><i>(ii) considering the extent to which functional need or existing use limits location and development options.</i></li> </ul> </li> </ul>



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16	Natural Hazards Policy P28	Support with amendment	Chorus supports the intent of the policy, in limiting the extent of hard engineering mitigation methods. However there are instances when these are necessary, and the use of the word avoid within the policy is not appropriate.	Amend Policy P28 as follows:  <i>Hard engineering mitigation and protection methods shall be avoided—except <b>only be implemented</b> where it is necessary to protect existing development from unacceptable risk, assessed using the risk-based approach, and the works either form part of a hazard management strategy or the environmental effects are considered to be no more than minor</i>
17	Outstanding water bodies Policy 39	Support with amendment	Chorus supports the intent of the policy, however use of the word avoid within the policy is not appropriate.	Amend Policy P39 as follows:  The adverse effects of use and development on outstanding water bodies and their significant values identified in Schedule A (outstanding water bodies) shall be avoided, <b>remedied or mitigated</b> .
18	Sites with Significant Values Policy P49	Support with amendment	Chorus supports the overall intent of the policy but considers that the policy could be improved by focusing on inappropriate use and development. Otherwise it could be read as requiring absolute protection and avoidance of all adverse effects from all activities.	Amend Policy P49 as follows:  <i>Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape or special amenity landscape identified in a district plan shall be managed by <b>seeking to:</b></i> <i>(a) protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and</i> <i>(b) avoiding adverse cumulative effects <b>from inappropriate use and development</b> on the values of an outstanding natural feature or landscape.</i>

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19	Primary Coastal Policies Policy P132	Support with amendment	<p>Chorus supports the policy as it recognises regionally significant infrastructure as having a functional and operational need to be located in the coastal marine area.</p> <p>The term where practicable in clause (g) is also supported as there are situations where locating development in existing areas (e.g. siting marine cables) may not be practical</p> <p>Recognition of the location of existing infrastructure should also permeate through this policy.</p>	<p>Amend Policy 132 as follows  <i>Use and development in the coastal marine area shall...</i>  <b><u>(h) recognise the location, operation and function of existing regionally significant infrastructure.</u></b></p>
<b>Chapter 5 – Rules</b>				
20	Emergency Power Generators Rule R12	Support with amendment	<p>Chorus supports the use of emergency power generators as a permitted activity. However a further situation needs to be recognised within the rule, being load shedding (also known as Peak Load Generation). From time to time, Chorus is approached by electricity generation companies and lines companies to make generators available for load shedding. This only occurs at times when the electricity network is under extreme pressure</p>	<p>Amend Rule R12 as follows:  <i>The discharge of contaminants into air from combustion equipment not exceeding a maximum generating capacity of 300kW, but up to 2MW in (a) applies from the combustion of diesel, petrol, natural gas or liquefied petroleum gas, to provide emergency power generation, when:</i>  <b><i>(a) the electricity network is disrupted through weather, accidents, or any unforeseen circumstances, or</i></b></p>



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21	Support with amendment	<p>(crisis peak demand) and is facing the likelihood of area supply cuts.</p> <p>Chorus supports the need to manage works in contaminated environments. The use of site investigations to assess hazardous substances that may be present in soil are an important tool. The proposed rules R54, R55 and R69 appear to impose a regulatory regime that is excessive and contrary to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. Chorus submits that the need to provide a Site Investigation Report should be set at the same threshold as the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, in order to avoid situations where an investigation report may be</p>	<p>(b) the person operating the equipment is undertaking necessary maintenance or testing of the device, or</p> <p>(c) the electricity connection is not available is a permitted activity; <u>or</u></p> <p><b><u>(d) load shedding/peak load generation is required.</u></b></p> <p>In the current form Rules R54, R55 and R69 should be deleted and rewritten to incorporate the amendments proposed below in submission points 21, 22 and 23.</p> <p>Consideration should be given to the introduction of an accidental discovery protocol for contamination as management tool.</p> <p>Amend R54 as follows:</p> <p><i>The use of land to assess the concentration of hazardous substances that may be present in the soil and any associated discharge into air is a permitted activity, provided the following conditions are met:</i></p> <p><i>(a) the assessment is undertaken in accordance with Contaminated Land Management Guidelines No. 5: Site Investigation and Analysis of Soils (2011), and</i></p>

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		<p>necessary under one document but not the other.</p> <p>The rules related to contaminated land and discharges need a full and comprehensive review and rewrite to recognise and provide for works undertaken by infrastructure providers.</p> <p>Given the changes sought to Rule R55 around when regionally significant infrastructure providers should be excluded, a note should be added to Rule R54 to ensure consistency.</p>	<p><u>(b) if more than 25m<sup>3</sup> per 500m<sup>2</sup> of soil is disturbed</u>, the assessment is reported in accordance with the Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Land (2011), and</p> <p>(c) a copy of the report is provided to the Wellington Regional Council two months after the completion of the assessment.</p> <p><u>Note. regionally significant infrastructure providers are specifically excluded from requiring to comply with Rule R54, provided the exclusion parameters listed under Rule R55 (and any subsequent provisions) are met.</u></p>
22	Contaminated Land Rule R55	<p>Support with amendment</p> <p>Chorus supports the intent of Rule R55, however for the same reasons as outlined above for Rules R54 and R69 we are concerned that there are no thresholds set as to when provisions (a) and (b) must be complied with.</p> <p>The implementation of some of Chorus' below ground linear infrastructure through contaminated land utilising 'trenchless' methods (i.e. drilling, boring and thrusting) can lead to negligible discharges of contaminants. As such, Chorus seeks that implementation of trenchless</p>	<p>In the current form Rules R54, R55 and R69 should be deleted and rewritten to incorporate the amendments proposed below in submission points 21, 22 and 23.</p> <p>Consideration should be given to the introduction of an accidental discovery protocol for contamination as a management tool.</p> <p>Amend Rule R55 as follows:</p> <p><i>The discharge of contaminants onto or into land from contaminated land where the discharge may enter water is a permitted activity provided the following conditions are met:</i></p>



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		<p>method lineal infrastructure is excluded from Rule R55. A further permitted rule is required to establish the thresholds as to when the provisions of Rule R55 are necessary.</p>	<p>(a) a site investigation has been completed in accordance with Rule R54 with a copy of the report provided to the Wellington Regional Council within two years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>(b) the site investigation report concludes that:</p> <p>(i) the concentration of contaminants in groundwater meets the Drinking-Water Standards New Zealand 2005 (Revised 2008) for potable water for 90% of species, and</p> <p>(ii) the concentration of contaminants in groundwater, at the property boundary, or at the location of existing bores, or at any point where the groundwater exits to the surface meets the Australian and New Zealand Environment and Conservation Council (ANZECC) Guidelines for Fresh and Marine Water Quality (2000) for the protection of 95% of species</p> <p><b>The use of trenchless methods to install infrastructure is a permitted activity and does not need to comply with provisions (a) and (b) but subject to manage discharges to the environment from trenches acting as migration pathways for contaminants.</b></p> <p><b>Note that if the provisions in Rule R55B are complied, compliance with Rule R55 is not necessary.</b></p>

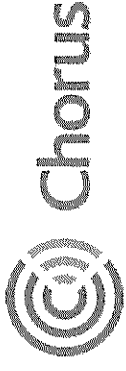




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23	Discharge to Land Rule R69	Support with amendment	<p><b>Rule R55B</b></p> <p><b>Disturbance of soil or fill material containing elevated levels of contaminants must not exceed</b></p> <p><b>(a) 200m<sup>3</sup> per site, or</b></p> <p><b>(b) 200m<sup>3</sup> per project on one site with multiple projects occurring concurrently where the volume of all disturbances of soil within 100 metres of one another does not exceed 200m<sup>3</sup>, or</b></p> <p><b>(c) A depth up to 2m and width of 1m where the works comprise linear trenching by infrastructure providers, are above the groundwater table and are located in the road, motorway or state highway, or railway corridor. For the purposes of this rule the railway corridor does not include rail workshops, stabling yards and rail depots or land more than 10m from the rail tracks.</b></p> <p><b>(d) The duration of soil disturbance on a site should not exceed 3 months, or on one site with multiple projects occurring concurrently, each separate project should not exceed 3 months.</b></p>
		While Chorus supports the intent of R69 for reasons outlined above for Rules R54 and R55, Chorus is concerned that there are no thresholds set as to when provisions (a), (b) and (c) must be complied	In the current form Rules R54, R55 and R69 should be deleted and rewritten to incorporate the amendments proposed below in submission points 21, 22 and 23.



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		<p>with. The installation of some of Chorus' below ground infrastructure through contaminated land utilising trenchless methods (drilling, boring, thrusting) can lead to negligible discharges of contaminants. As such Chorus seeks that the use of trenchless methods for the installation of lineal infrastructure be excluded from Rule R69. A further permitted rule is required to establish the thresholds as to when the provisions of R69 are necessary.</p>	<p>Consideration should be given to the introduction of an accidental discovery protocol for contamination as a management tool.</p> <p>Amend Rule R69 as follows:</p> <p><i>The discharge of contaminants onto or into land that is not permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited under any other rule in this Plan is a permitted activity provided the following conditions are met:</i></p> <ul style="list-style-type: none"> <li>(a) the contaminant shall not enter water, and</li> <li>(b) the contaminant shall not cause an adverse effect beyond the boundary of the property, and</li> <li>(c) the contaminant is not a hazardous substance</li> </ul> <p><b><u>The use of trenchless methods to install infrastructure is a permitted activity and does not need to comply with provisions (a) and (b) but subject to manage discharges to the environment from trenches acting as migration pathways for contaminants.</u></b></p> <p><b><u>Note that if the provisions in Rule R69B are complied, compliance with Rule R69 is not necessary.</u></b></p> <p><b><u>Rule R69B</u></b></p>



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24	Earthworks Rule R99	Support	<p><u>Disturbance of soil or fill material containing elevated levels of contaminants must not exceed</u></p> <p><u>(a) 200m<sup>3</sup> per site, or</u></p> <p><u>(b) 200m<sup>3</sup> per project on one site with multiple projects occurring concurrently where the volume of all disturbances of soil within 100 metres of one another does not exceed 200m<sup>3</sup>, or</u></p> <p><u>(c) A depth up to 2m and width of 1m where the works comprise linear trenching by infrastructure providers, are above the groundwater table and are located in the road, motorway or state highway, or railway corridor. For the purposes of this rule the railway corridor does not include rail workshops, stabling yards and rail depots or land more than 10m from the rail tracks.</u></p> <p><u>(d) The duration of soil disturbance on a site should not exceed 3 months, or on one site with multiple projects occurring concurrently, each separate project should not exceed 3 months.</u></p>
	Earthworks Rule R99	Support	<p>Retain Rule R99 in its current form</p>
		Chorus supports the definition of earthworks in excluding cable or pipe laying and maintenance activity, and the construction, repair or maintenance of telecommunication structures.	



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25 Activities in beds of lakes and rivers Rule R.112	Oppose in part	Chorus seeks an amendment to specifically provide for the repair, replacement, upgrade or use of telecommunication lines as a permitted activity.	<p>Amend Rule R.112 as follows:</p> <p><i>The maintenance, repair, replacement, upgrade or use of a structure or a part of a structure (excluding the Barrage Gates and Telecommunications Lines) that is fixed in, on, under, or over the bed of a river or lake, including any associated:</i></p> <ul style="list-style-type: none"> <li><i>(a) disturbance of the river or lake bed, and</i></li> <li><i>(b) deposition on the river or lake bed, and</i></li> <li><i>(c) diversion of water, and</i></li> <li><i>(d) discharge of sediment to water</i></li> </ul> <p><i>is a permitted activity, provided the following conditions are met:</i></p> <ul style="list-style-type: none"> <li><i>(e) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.5.4, and</i></li> <li><i>(f) the resulting structure is contained within the form of the existing structure, or</i></li> <li><i>(g) the resulting structure, excluding any cable, pipe or duct and including any deposition, adds no more to the existing structure than whichever is the lesser of:</i> <ul style="list-style-type: none"> <li><i>(i) 5% of the plan or cross-sectional area of the structure in the river or lake bed, or</i></li> <li><i>(ii) 1m in horizontal projection and 1m in vertical projection measured from the structure as it was on the date of public notification of the Proposed Natural Resources Plan (31.07.2015) in the river or lake bed.</i></li> </ul> </li> </ul>

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				<u>Note, while Telecommunication Lines are expressly excluded from the provisions of Rule R112, their maintenance, repair, replacement, upgrade or use are subject to compliance with the general conditions in section 5.5.4.</u>
26	New Structures – Rule R117	Support	Chorus supports the rule and the specific exclusion in clause (f) for adding pipes or cables to an existing structure.	Retain Rule R117 in its current form.
27	Coastal Management general conditions – 5.7.2(c)	Oppose in part	Chorus have telecommunications cables which cross the foreshore and seabed within the Hutt Valley Aquifer Zone. All Chorus cables which cross the seabed are buried within the bed material. The 0.5m depth restriction is overly restrictive in the Hutt Valley Aquifer Zone, and as such a depth of 2.0m is sought.	Amend Coastal Management General Condition 5.7.2 (c) as follows:  (c) there is no disturbance of the foreshore or seabed to a depth greater than 0-5m <b>2.0m</b> below the seabed or foreshore within the Hutt Valley Aquifer Zone shown on Map 30, and
28	New Structure, Addition or Alteration outside sites of significance Rule R161	Oppose in part	Chorus seeks amendment to the proposed rule in order to clarify the differentiation between minor additions or alterations to structures (R150) and new structures or alterations to structures outside sites of significance.	Amend Rule R150 and R161 to clearly define thresholds for minor additions or alterations to structures.



Plan Provision	Support/ Oppose/ Amend	Submission Reasons	Decision Sought
29 New Structure, Addition or Alteration inside an identified site Rule R162	Oppose	Chorus considers the rule should not apply to additions or alterations to existing structures.	Amend Rule R162 as follows:  <i>A new structure, addition or alteration to a structure and the associated use of the structure outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated...</i>