



Closing  
date for further  
submissions:  
Friday 29 October  
2021

Further Submission Form In support of, or in opposition to, submission/s on the  
**Central Hawkes District Proposed District Plan**

Clause 8 of Schedule 1, Resource Management Act 1991

To submit electronically please go to: [www.chbdc.govt.nz/districtplanreview](http://www.chbdc.govt.nz/districtplanreview)

<b>1. Further Submitter details:</b> (mandatory information)		
Full name of individual/organisation making further submission:	First Gas Limited	
Contact person (if different from above):	David Forrest (Wood Beca Limited)	
Email address for service:	david.forrest@beca.com	
Postal address for service:	Beca Ltd, Level 1 Cnr Rangitikei & Walding Streets, Palmerston North	
Preferred method of contact:	<input checked="" type="checkbox"/> Email <input type="checkbox"/> Post	Postcode 4410
Phone numbers:	Daytime 06 952 0294	Mobile 021 578 497
<b>2. Eligibility to make a further submission:</b> (for information on this section go to RMA Schedule 1, clause 8)		
I am:	<input type="checkbox"/> A person representing a relevant aspect of the public interest; In this case, also specify below the grounds for saying that you come within this category; or <input checked="" type="checkbox"/> A person who has an interest in the proposal greater than the interest that the general public has. In this case, also specify below the grounds for saying that you come within this category; or	
My reasons for selecting the category ticked above are: As owner, operator and manager of the high-pressure gas transmission network in the District, Firstgas has an interest in the Proposed Plan that is greater than the interest that the general public has.		
<b>3. Request to be heard at a hearing</b>		
<input checked="" type="checkbox"/> Yes, I wish to be heard at the hearing in support of my further submission; or		
<input type="checkbox"/> No, I do not wish to be heard at the hearing in support of my further submission		
<b>4. Joint submission</b>		
If others make a similar submission, I will consider presenting a joint case with them at the hearing <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>5. Joint submission</b>		
<input checked="" type="checkbox"/> I have filled in the table on the next page with details of my further submission.		
<input checked="" type="checkbox"/> I have added <u>10</u> further pages/sheets that form part of my further submission.		
<input checked="" type="checkbox"/> I understand that I am responsible for serving a copy of my further submission on the original submitter(s) within 5 working days after it is served on Council.		
<b>6. Joint submission</b> (a signature is not required if you make your submission by electronic means)		
Signature of further submitter (or person authorised to sign on their behalf)		
Signature: (type name if submitting electronically) D Forrest	Date: 29/10/2021	

**7. Return this form no later than 5pm Friday 29 October 2021 by:**

- Delivery to Central Hawkes Bay District Council office on Ruataniwha Street Waipawa or the Waipawa Library
- Post to Central Hawkes District Council, 28/32 Ruataniwha Street, Waipawa 4210
- Email to [districtplan@chbdc.govt.nz](mailto:districtplan@chbdc.govt.nz)

**2. Important notes to person making a further submission:**

**A. Content of further submission**

A further submission must be limited to a matter in support of, or in opposition to, an original submission. A further submission cannot introduce new matters that were not raised in original submissions.

Please note that your further submission (or part of your further submission) may be struck out if the authority is satisfied that at least one of the following applies to the further submission (or part of the further submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the further submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

**B. Serving a copy of your further submission**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on Council (See table on following page).

**C. Privacy Information**

Council will make all further submissions, including name and contact details, publicly available on Council's website. Personal information will also be used for the administration of the submission process and will be made public.



29 October 2021

Central Hawkes Bay District Council  
PO Box 127  
Waipawa 4210

Dear Chief Executive,

**Further Submission – Proposed Central Hawkes Bay District Plan**

As well as preparing a Notice of Requirement (“NoR”) for inclusion in the Proposed Central Hawkes Bay District Plan (the Proposed Plan), First Gas Ltd (“**Firstgas**”) lodged a submission on the **draft** Proposed Plan on 19 July 2018.

Broadly speaking, Firstgas’ NoR and draft submission sought to:

- Enable the operation, maintenance, upgrade and development of its assets and operations; and
- Protect its assets and operations from others’ land use activities.

Noting Firstgas did not submit a submission on the notified version of the Proposed Plan, many of the outcomes identified through Firstgas’ submission on the draft Proposed Plan submission were carried through into the notified Proposed Plan. There are several submissions from other parties that have been made on the Proposed Plan that this further submission relates to.

As owner, operator and manager of the high-pressure gas transmission network in the District, Firstgas has an interest in the Proposed Plan that is greater than the interest that the general public has.

Firstgas wishes to be heard in support of its further submission.

If others make a similar submission, Firstgas will consider presenting a joint case with them at a hearing.

Yours sincerely



**David Forrest**  
Senior Planner

on behalf of

**Wood Beca Limited**

Phone Number: +64 6 952 0294  
Email: [David.Forrest@beca.com](mailto:David.Forrest@beca.com)

**Copy**

Nicola Hine, Firstgas Ltd

## Schedule 1: First Gas – Further Submission

Plan Provision/ Reference	Submitter ID and Submitter	Support / Oppose	Provision and Reason for Support or Opposition	Decision Sought
<b>Part 1: Introduction and General Provisions</b>				
Interpretation				
Definition: Earthworks	S79.003 Transpower New Zealand Ltd	Support	Firstgas supports the submission which seeks to retain the definition of 'Earthworks' that reflects the National Planning Standards.	Allow
	S121.233 Federated Farmers of New Zealand	Support	Firstgas supports the submission which seeks to retain the definition of 'Earthworks' that reflects the National Planning Standards.	Allow
Definition: Gas Transmission Network	S121.235 Federated Farmers of New Zealand	Oppose	Firstgas opposes the submission which seeks to delete the definition of the 'Gas Transmission Network' and all associated provisions. The definition is critical in framing provisions in the wider District Plan which seek to protect and enable the nationally significant gas transmission network.	Disallow
Definition: Maintenance	S79.005 Transpower New Zealand Limited	Support	Firstgas supports this submission which seeks to retain the definition of 'Maintenance' as notified.	Allow
	S121.239 Federated Farmers of New Zealand	Oppose	Firstgas opposes the submission which seeks to alter the definition of 'Maintenance' as notified by removing the word 'similar' from the definition.	Disallow

Plan Provision/ Reference	Submitter ID and Submitter	Support / Oppose	Provision and Reason for Support or Opposition	Decision Sought
<b>Part 2: Strategic Direction</b>				
[General]	S117.025 Chorus New Zealand Limited	Support	<p>Firstgas supports the submission that seeks for a new 'Strategic Direction for Infrastructure' chapter within the Strategic Direction section of the Proposed Plan.</p> <p><i>'1. The social, economic, environmental and cultural benefits of infrastructure are recognised and provided for, and its safe efficient and effective development, upgrade, maintenance and operation is enabled.</i></p> <p><i>2. Infrastructure, including its role and function, is protected from incompatible development and activities; and</i></p> <p><i>3. The adverse effects of infrastructure on the surrounding environment are managed, having regard to the economic benefits and the technical, functional and operational needs of infrastructure.'</i></p>	Allow
<b>Part 2: District-Wide Matters</b>				
Energy, Infrastructure and Transport - Network Utilities				
NU-I3	S79.021 Transpower New Zealand Limited	Support	Firstgas supports the submission that seeks for the retention of NU-I3 as notified as it recognises the effects of other activities on network utilities that may constrain the operation of utility operations.	Allow
	S129.016 Kāinga Ora - Homes and Communities	Oppose	<p>Firstgas opposes the request within the submission for a qualifier 'where not appropriately managed' in respect to managing the new subdivision, land use and development in close proximity to existing network utilities. Inclusion of the word 'may' provides for the outcome sought by the submitter.</p> <p><i>'Effects of Other Activities on Network Utilities</i></p> <p><b><i>Where not appropriately managed, Anew subdivision, land use and development may impact on the safe and efficient functioning of network utilities.</i></b></p> <p><b><i>Explanation: Where not appropriately managed, Anew subdivision....</i></b></p>	Disallow

Plan Provision/ Reference	Submitter ID and Submitter	Support / Oppose	Provision and Reason for Support or Opposition	Decision Sought
NU-P5	S56.016 PowerCo Limited	Support	Firstgas supports this submission which seeks to retain NU-P5 as notified to protect network utilities from the adverse effects of subdivision, use and development.	Allow
	S81.053 Horticulture New Zealand	Oppose	<p>Firstgas does not support the submission which seeks to amend NU-P5. The changes sought do not provide for a clear policy to manage adverse effects of subdivision and land use in proximity to network utilities.</p> <p><i>'To ensure that the adverse effects of subdivision, use and development, do not, to the extent reasonably possible, protect network utilities from the adverse effects of subdivision, use and development that may constrain or compromise the safe, effective, secure and efficient operation, maintenance, upgrading and development of network utilities, and the safety and amenity values of people and the community, including by...'</i></p>	Disallow
	S81.054 Horticulture New Zealand	Oppose	<p>Firstgas does not support the submission which seeks to delete the following from NU-P5:</p> <p><del>'5. Managing land disturbance and activities in the vicinity of gas transmission pipelines'.</del></p> <p>This component of NU-P5 policy is important in establishing a planning framework that manages reverse sensitivity effects on the nationally significant gas transmission network.</p>	Disallow
	S129.025 Kāinga Ora - Homes and Communities	Oppose	<p>Firstgas does not support the amendments proposed to NU-P5 below and seeks for NU-P5 to be retained as notified.</p> <p><i>'To protect network utilities from the adverse effects of inappropriate subdivision, use and development that where it may constrain or compromise the safe, effective, secure and efficient operation, maintenance, upgrading and development of network utilities, and the safety and amenity values of people and the community, including by...</i></p> <p><i>8. Ensuring subdivision of sites containing a network utility activity retain does not unnecessarily compromise the ability for the network utility operator to access, operate, maintain, repair and upgrade the network utility'.</i></p>	Disallow

Plan Provision/ Reference	Submitter ID and Submitter	Support / Oppose	Provision and Reason for Support or Opposition	Decision Sought
Hazards and Risks				
HAZS-R1	S81.063 Horticulture New Zealand	Support	<p>Firstgas supports this submission which seeks to retain the permitted activity rule for hazardous substances as drafted, which includes the 60m setback standard from the Gas Transmission Network.</p> <p><b>'HAZS-R1 The storage, handling or use of hazardous substances (except Major Hazardous Facilities)</b></p> <p>1. <i>Activity Status PER</i></p> <p>Where the following conditions are met:</p> <p>a. <i>All relevant Standards in the underlying zone are complied with.</i></p> <p>b. <i>The activity does not involve the use of explosives within 60m of any part of the Gas Transmission Network'.</i></p>	Allow
	S121.121 Federated Farmers of New Zealand	Oppose	<p>Firstgas opposes this submission which seeks to delete HAZS-R1 and the 60m setback from the Gas Transmission Network. The reverse sensitivity provisions as drafted are required to protect people and infrastructure from potential effects from the gas transmission network as opposed to restrict activities that may be compatible such as primary production activities.</p>	Disallow
Subdivision				
SUB-S4	S121.071 Federated Farmers of New Zealand	Oppose	<p>Firstgas opposes the submission which seeks to amend SUB-S4 to remove reference to the 20m building setback from the Gas Transmission Pipeline and 30m setback from above ground equipment forming part of the Gas Transmission Network.</p> <p>District Plan rules are considered to be the appropriate mechanism for managing actual or potential reverse sensitivity effects of subdivision and land use on the nationally significant gas transmission network. Firstgas seek that SUB-S4 be retained as notified.</p> <p><i>'Subdivision of land containing the Gas Transmission Network</i></p> <p><b>4. The subdivision of land in any zone containing the Gas Transmission Network <i>must ensure that easement agreements are provided over the Gas Transmission Pipelines. Must be</i></b></p>	Disallow

Plan Provision/ Reference	Submitter ID and Submitter	Support / Oppose	Provision and Reason for Support or Opposition	Decision Sought
			<p><del>able to demonstrate that all resulting allotments are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive activity that is at least 20m from the Gas Transmission Pipeline and 30m from above ground equipment forming part of the Gas Transmission Network.</del></p> <p><del>5. The layout of allotments and any enabling earthworks must ensure that any enabling earthworks must ensure that physical access is maintained to the Gas Transmission Network where it is located on the allotments, including any balance area.'</del></p>	
	S129.102 Kāinga Ora – Homes and Communities	Oppose	Firstgas opposes the submission which seeks to delete the performance standards within SUB-S4(4) & (5) requiring that subdivisions confirm that building platforms be provided that can achieve the 20m building setback from the Gas Transmission Pipeline and 30m setback from above ground equipment forming part of the Gas Transmission Network. The set back is required from a reverse sensitivity effects management perspective.	Disallow
SUB-AM18	S129.122 Kāinga Ora – Communities and Homes	Oppose	<p>Firstgas does not support this submission which seeks that the assessment criteria related to SUB-S4(4) be deleted.</p> <p>The assessment criteria are considered appropriate for Council to assess when resource consent is sought for subdivision that is located closer to the Gas Transmission Network and associated structures than the specified setbacks within SUB-S4(4). The set back is required from a reverse sensitivity effects management perspective.</p>	Disallow
General District Wide Matters - Earthworks				
EW-R2	S121.085 Federated Farmers of New Zealand	Oppose	<p>Firstgas opposes the submission which seeks to amend EW-R2 to provide for ancillary earthworks to be a permitted activity with the removal of the performance standards, in particular separation distance from the Gas Transmission Network.</p> <p><i>'Ancillary rural earthworks</i></p> <p><i>General Rural Zone/ Rural Production Zone/ Rural Lifestyle Zone</i></p> <p><i>1. Activity Status: PER</i></p> <p><i>Where the following conditions are met:</i></p>	Disallow



Plan Provision/ Reference	Submitter ID and Submitter	Support / Oppose	Provision and Reason for Support or Opposition	Decision Sought
			<del>a. Compliance with:</del> <del>i. EW-S2;</del> <del>ii. EW-S3;</del> <del>iii. EW-S4</del> <del>iv. EW-S5</del> <del>v. EW-S6</del> <del>vi. EW-S7, and</del> <del>vii. EW-S8'</del>	
EW-R6	S121.088 Federated Farmers of New Zealand	Oppose	Firstgas opposes the submission which seeks to delete the rule relating to setbacks for earthworks from the Gas Transmission Network. District Plan rules are an appropriate mechanism to address actual or potential reverse sensitivity effects resulting from earthworks on the Gas Transmission Network.	Disallow

### Part 3: Area-Specific Matters

#### General Rural Zone

GRUZ-R3	S81.114 Horticulture New Zealand	Support in part	Firstgas agrees with the submission that GRUZ-S12 relates to the establishment of residential activities or use within 20m of the Gas Transmission Network or 30m of above ground incidental equipment and not primary production activities (GRUZ-R3). Suggest that GRUZ-R3 is amended to remove link to GRUZ-S12.	Amend
GRUZ-R6	S81.116 Horticulture New Zealand	Support in part	Firstgas agrees with the submission that GRUZ-S12 relates to the establishment of residential activities or use within 20m of the Gas Transmission Network or 30m of above ground incidental equipment and not post-harvest activities (GRUZ-R6). Suggest that GRUZ-R6 is amended to remove link to GRUZ-S12.	Amend
GRUZ-R9	S81.118 Horticulture New Zealand	Support in part	Firstgas agrees with the submitter that GRUZ-S12 relates to the establishment of residential activities or use within 20m of the Gas Transmission Network or 30m of above ground incidental equipment and not commercial activities (GRUZ-R9). Suggest that GRUZ-R9 is amended to remove link to GRUZ-S12.	Amend

Plan Provision/ Reference	Submitter ID and Submitter	Support / Oppose	Provision and Reason for Support or Opposition	Decision Sought
GRUZ-R10	S81.119 Horticulture New Zealand	Support in part	Firstgas agrees with the submitter that GRUZ-S12 relates to the establishment of residential activities or use within 20m of the Gas Transmission Network or 30m of above ground incidental equipment and not community facilities (GRUZ-R10). Suggest that GRUZ-R10 is amended to remove link to GRUZ-S12.	Amend
GRUZ-R11	S79.107 Transpower New Zealand	Neither Oppose nor Support	The submitter seeks for the national grid setback and land use controls to be within one permitted activity and one non-complying activity rule in the network utility section of the proposed District Plan. Firstgas seeks that the setback rules from the Gas Transmission Line and above ground structures remain within the zone-based section of the proposed District Plan.	Allow
	S81.120 Horticulture New Zealand	Support in part	Firstgas agrees with the submitter that GRUZ-S12 relates to the establishment of residential activities or use within 20m of the Gas Transmission Network or 30m of above ground incidental equipment and not educational facilities (GRUZ-R11). Suggest that GRUZ-R11 is amended to remove link to GRUZ-S12.	Amend
GRUZ-R14	S81.121 Horticulture New Zealand	Support in part	Firstgas agrees with the submitter that GRUZ-S12 relates to the establishment of residential activities or use within 20m of the Gas Transmission Network or 30m of above ground incidental equipment and not intensive primary production activities (GRUZ-R14). Suggest that GRUZ-R14 is amended to remove link to GRUZ-S12.	Amend
GRUZ-S12	S121.198 Federated Farmers of New Zealand	Oppose	Firstgas opposes the submission which seeks to delete setback rules in relation to the Gas Transmission Network. The District Plan is considered the best approach to managing reverse sensitivity effects for sensitive land use activities in proximity to the Gas Transmission Network and above ground incidental structures.  Firstgas seek for the proposed rule to be retained to manage actual and potential reverse sensitivity effects.	Disallow
<b>Rural Production Zone</b>				
RPROZ-R3	S81.157 Horticulture New Zealand	Support in part	Firstgas agrees with the submitter that RPROZ-S14 relates to the establishment of residential activities or use within 20m of the Gas Transmission Network or 30m of above ground	Amend

Plan Provision/ Reference	Submitter ID and Submitter	Support / Oppose	Provision and Reason for Support or Opposition	Decision Sought
			incidental equipment and not primary production activities (RPROZ-R3). Suggest that RPROZ-R3 is amended to remove link to RPROZ-S14.	
	S121.217 Federated Farmers of New Zealand	Support in part	Firstgas agrees with the submitter that RPROZ-S14 relates to the establishment of residential activities or use within 20m of the Gas Transmission Network or 30m of above ground incidental equipment and not primary production activities (RPROZ-R3). Suggest that RPROZ-R3 is amended to remove link to RPROZ-S14.	Amend
RPROZ-R6	S81.159 Horticulture New Zealand	Support in part	Firstgas agrees with the submitter that RPROZ-S14 relates to the establishment of residential activities or use within 20m of the Gas Transmission Network or 30m of above ground incidental equipment and not post-harvest activities (RPROZ-R6). Suggest that RPROZ-R6 is amended to remove link to RPROZ-S14.	Amend
RPROZ-R9	S81.162 Horticulture New Zealand	Support in part	Rural Industry Firstgas agrees with the submitter that RPROZ-S14 relates to the establishment of residential activities or use within 20m of the Gas Transmission Network or 30m of above ground incidental equipment and not commercial activities (RPROZ-R9). Suggest that RPROZ-R9 is amended to remove link to RPROZ-S14.	Amend
RPROZ-R10	S81.163 Horticulture New Zealand	Support in part	Firstgas agrees with the submitter that RPROZ-S14 relates to the establishment of residential activities or use within 20m of the Gas Transmission Network or 30m of above ground incidental equipment and not community facilities (RPROZ-R10). Suggest that RPROZ-R10 is amended to remove link to RPROZ-S14.	Amend
RPROZ-R11	S81.164 Horticulture New Zealand	Support in part	Firstgas agrees with the submitter that RPROZ-S14 relates to the establishment of residential activities or use within 20m of the Gas Transmission Network or 30m of above ground incidental equipment and not educational activities (RPROZ-R11). Suggest that RPROZ-R11 is amended to remove link to RPROZ-S14.	Amend
RPROZ-R14	S81.165 Horticulture New Zealand	Support in part	Firstgas agrees with the submitter that RPROZ-S14 relates to the establishment of residential activities or use within 20m of the Gas Transmission Network or 30m of above ground incidental equipment and not intensive primary production activities (RPROZ-R14). Suggest that RPROZ-R14 is amended to remove link to RPROZ-S14.	Amend

Plan Provision/ Reference	Submitter ID and Submitter	Support / Oppose	Provision and Reason for Support or Opposition	Decision Sought
RPROZ-S14	S121.228 Federated Farmers of New Zealand	Oppose	Firstgas opposes this submission which seeks to delete RPROZ-S14.  RPROZ-S14 seeks to manage reverse sensitivity effects on the Gas Transmission Network which easement agreements do not manage. The District Plan is considered the appropriate mechanism to manage potential reverse sensitivity effects on the network.	Disallow