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**From:** Daniel Minhinnick [daniel.minhinnick@russellmcveagh.com]  
**Sent:** Monday, 28 May 2007 12:24  
**To:** hgiplan  
**Subject:** Further submission on Hauraki Gulf Islands District Plan on behalf of Vector

**Attachments:** Vector further submission.pdf



Vector further submission.pdf ...

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Please find attached a further submission on the proposed Hauraki Gulf Islands District Plan on behalf of Vector.

A hard copy will follow by post.

Please contact me if you have any queries.

Kind regards

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<<Vector further submission.pdf>>

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**FURTHER SUBMISSIONS IN SUPPORT OF, OR IN OPPOSITION TO,  
SUBMISSIONS ON PUBLICLY NOTIFIED PROPOSED PLAN CHANGE  
UNDER CLAUSE 8 OF FIRST SCHEDULE OF THE RESOURCE  
MANAGEMENT ACT 1991**

**To:** Auckland City Council ("**Council**")

**Further submission on:** Proposed Auckland City District Plan (Hauraki Gulf Islands) 2006 ("**Plan**")

**Name:** Vector Limited ("**Vector**")

**Address:** C/- Russell McVeagh, at the address for service specified below

1. Vector opposes or supports the submissions set out in Annexure 1, including any consequential changes sought or resulting from those submissions.
2. The particular parts of the submissions opposed or supported, and the reasons for Vector's opposition or support are set out in Annexure 1.
3. Vector seeks that the particular parts of the submissions supported in Annexure 1 are accepted or amended as set out in the further submissions. Vector seeks that the particular parts of the submissions opposed in Annexure 1 are declined or amended as set out in the further submissions.
4. Vector wishes to be heard in support of these further submissions.
5. If others make a similar submission, Vector would consider presenting a joint case with them at the hearing.

**Signature:** **VECTOR LIMITED** by its solicitors and authorised agents:



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Daniel Minhinnick

**Date:** 28 May 2007

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**ANNEXURE 1: FURTHER SUBMISSIONS BY VECTOR RELATING TO PROPOSED AUCKLAND CITY DISTRICT PLAN (HAURAKI GULF ISLANDS) 2006**

Sub No.	Submitter Name	Clause	Decision Requested by Submitter	Grounds Opposed / Supported
1139/5	Gulf District Plan Association Incorporated	Part 5.0	The removal of Part 5 Utilities and reintroduction of community mandated controls in line with the strategic importance of Lot 1 DP67008 Wilma Road, Ostend.	Vector opposes this submission to the extent that it is inconsistent with Vector's original submission, and for the reasons set out in its original submission. Vector also opposes this submission as Part 5 Utilities (subject to the amendments sought by Vector) appropriately manages utilities in a manner which best achieves sustainable management.
1166/19	Claire Mortimer	Part 5.0	Facilitate the development of community and household scale infrastructure esp. for water supply and electricity.	Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission.
3061/41	The Waiheke Island Community Planning Group Incorporated	Part 5.0	Remove Part 5.0 Network Utilities from the Plan along with consequential removal of Part 10c.5.6 and 10c.5.6.1 and replacement with community mandated policies and rules and such wider changes to the Plan consequent thereon.	Vector opposes this submission to the extent that it is inconsistent with Vector's original submission, and for the reasons set out in its original submission. Vector also opposes this submission as Part 5 utilities (subject to the amendments sought by Vector) appropriately manages utilities in a manner which best achieves sustainable management.
1116/1	Vodafone New Zealand Limited	Part 5.3.1 'Policies' subsection 6	Amend clause 5.3.1(6) as follows (additions underlined and deletions in strikethrough): "By requiring <u>encouraging</u> network utility operators to <u>employ</u> be <u>consistent</u> with the Code of Practice for Working in the Road."	Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission. Vector also supports this submission as it appropriately recognises that rigid compliance to the Code of Practice may not be possible or appropriate in all circumstances.
2929/1	R. A. Walden	Part 5.3.1 Overhead Lines	Seeks that policy 5.3.1(8) be amended to prohibit further overhead lines being put in place in new subdivisions.	Vector opposes this submission to the extent that it is inconsistent with Vector's original submission, and for the reasons set out in its original submission. Vector also opposes this submission as it fails to recognise that it may not always be practical or feasible for underground services to be provided in respect of every new subdivision.
1117/1	Vodafone New Zealand Limited	Part 5.3.2	Amend clause 5.3.2(1) as follows (additions underlined and deletions in strikethrough): "By <del>ensuring</del> That utility services meet appropriate	Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission. Vector also

Sub No.	Submitter Name	Clause	Decision Requested by Submitter	Grounds Opposed / Supported
1117/2	Vodafone New Zealand Limited	Part 5.3.2	<p>environmental standards so that in order to reduce any significant adverse effects do not occur."</p> <p>Amend the explanation to clause 5.3.2 as follows (additions underlined and deletions in strikethrough):</p> <p>"The standards have been established to ensure that there is minimal adverse effect on the environment and provide guidance for the standard must be met during the establishment, operation and maintenance of utility services. Should the standards not be met, resource consent will be required to exceed the standards."</p>	<p>supports this submission as it recognises that even if appropriate environmental standards are met that utilities will generate some adverse effects.</p> <p>Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission. The proposed amendment more accurately reflects the legal position, as the standards are not necessarily required to be met.</p>
1111/1	Vodafone New Zealand Limited	Part 5.3.3	<p>Amend the eighth paragraph of the explanation of clause 5.3.3 as follows (additions underlined, and deletions in strikethrough):</p> <p>"The cumulative effect of aboveground and utility services in any one location can have an adverse effect on an area. There is a need. The provisions of the District Plan seeks to avoid a minimise the proliferation of separate structures and this requires a co-operative approach where feasible and practicable so that visual impacts effects are avoided or minimized appropriately managed. This is particularly relevant in the fast changing communications industry where sites for cellular phone towers, antennas and wireless internet services can be difficult to find."</p>	<p>Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission. Vector also supports this submission as it more appropriately recognises that the sharing of structures is not always feasible or practicable, and that in any event there will be visual effects, which may not be able to be avoided.</p>
1243/41	Federated Farmers of New Zealand (Inc)	Part 5.3.3	<p>Amend clause 5.3.3(1) to reflect that not all types of development require the undergrounding of services.</p>	<p>Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission. Vector also supports this submission as it recognises that the undergrounding of services is not always appropriate, necessary or practicable in every new development.</p>
2928/1	R. A. Walden	Part 5.3.3	<p>Delete policy 5.3.3 (10) and add a policy that mandates long term plans for undergrounding, and requires further rearticulation to be under grounded.</p>	<p>Vector opposes this submission to the extent that it is inconsistent with Vector's original submission, and for the reasons set out in its original submission. Vector opposes this submission as the undergrounding of services is not feasible or practical in every instance. Accordingly, to require such undergrounding is neither reasonable nor appropriate.</p>

Sub No.	Submitter Name	Clause	Decision Requested by Submitter	Grounds Opposed / Supported
1147/2	Gulf District Plan Association Inc	Part 5.5	The removal of clauses 5.5.2 to 5.5.4 from Part 5 - Utilities.	Vector opposes this submission to the extent that it is inconsistent with Vector's original submission, and for the reasons set out in its original submission. Vector also opposes this submission as Part 5 utilities (subject to the amendments sought by Vector) appropriately manages utilities in a manner which best achieves sustainable management. Further, there are no clauses 5.5.3 or 5.5.4 and so it is unclear which specific provisions this submission relates to.
33/1	Telecom New Zealand	Part 5.5.1	That the following be provided for as permitted activities throughout the islands: Aboveground network utilities (not otherwise specifically provided for) outside of legal road that can meet the relevant development controls contained within clause 5.6	Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission.
33/5	Telecom New Zealand	Part 5.5.1	Amend row 17 of the activity table in clause 5.5.1 to include overhead lines adjacent to formed legal roads in rural 1 as a permitted activity.	Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission.
33/7	Telecom New Zealand Limited	Part 5.5.1	Amend row 21 of the activity table (clause 5.5.1) to make activities not meeting one or more of the development standards a restricted discretionary activity, with the council's discretion restricted to matters relevant to the standard infringed.	Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission. Vector also supports this submission as it is inappropriate for a minor or technical non-compliance to trip an otherwise permitted activity into full discretionary status. Restricted discretionary status limited to matters relevant to the standard infringed, would provide the Council with the appropriate level of control for such activities.
33/8	Telecom New Zealand Limited	Part 5.5.1	Amend the activity status for row 23 of the activity table (clause 5.5.1) to make above ground network utilities outside of legal roads discretionary activities.	Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission.
519/6	Metro Water Limited	Part 5.5.1	Amend the wording of clause 5.5 to read (additions shown in underline) "Maintenance and operation of existing network utility services and upgrading of underground infrastructure".	Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission. Vector also supports this submission as it is appropriate to provide for upgrading as a permitted activity in order to ensure that the integrity and efficiency of networks is maintained, consistent with achieving the sustainable management of resources.

Sub No.	Submitter Name	Clause	Decision Requested by Submitter	Grounds Opposed / Supported
1112/1	Vodafone New Zealand Limited	Part 5.5.1	Amend row 9 in activity table 5.5.1 as follows (additions underlined and deletions in strikethrough): "Any aboveground telecommunication, electricity or wastewater network utility located within the legal road reserve that has an area not exceeding <u>4-6</u> 2m <sup>2</sup> in plan view and does not exceed 4-6 1.8m in height (exe-including plinth) provided that this rule excludes masts and antennas."	Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission.
1112/2	Vodafone New Zealand Limited	Part 5.5.1	Insert a new row in activity table 5.5.1 which makes the following a permitted activity: "Any aboveground telecommunication, electricity or wastewater network utility which complies with the relevant development controls for the zone it is located."	Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission.
1112/3	Vodafone New Zealand Limited	Part 5.5.1	Amend row 18 in activity table 5.5.1 as follows (additions underlined and deletions in strikethrough): "Any aboveground telecommunication, electricity or wastewater network utility located within the legal road reserve that has an area exceeding <u>2</u> 2m <sup>2</sup> in plan view and exceeds 1.6 1.8m in height (excluding plinth) provided that this rule excludes masts and antennas."	Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission.
2928/2	R. A. Walden	Part 5.5.1	Upgrading of network utility services to be a discretionary activity, with manifest reluctance to underground a notified application.	Vector opposes this submission to the extent that it is inconsistent with Vector's original submission, and for the reasons set out in its original submission. Vector also opposes this submission as it is appropriate to provide for upgrading as a permitted activity in order to ensure that the integrity and efficiency of networks is maintained, consistent with achieving the sustainable management of resources.
2929/2	R. A. Walden	Part 5.5.1	Seeks that the upgrading of overhead lines be a discretionary activity with a presumption of undergrounding.	Vector opposes this submission to the extent that it is inconsistent with Vector's original submission, and for the reasons set out in its original submission. Vector also opposes this submission as it is appropriate to provide for upgrading as a permitted activity in order to ensure that the integrity and efficiency of networks is maintained, consistent with achieving the sustainable management of resources.
1156/1	Gulf District Plan Association Inc	Part 5.6	The removal of clauses 5.6.2 to 5.6.4 and their replacement with community mandated policies and rules.	Vector opposes this submission to the extent that it is inconsistent with Vector's original submission, and for the reasons set out in its original submission. Vector also

Sub No.	Submitter Name	Clause	Decision Requested by Submitter	Grounds Opposed / Supported
				opposes this submission as Part 5 Utilities (subject to the amendments sought by Vector) appropriately manages utilities in a manner which best achieves sustainable management.
1109/1	Vodafone New Zealand Limited	Part 5.8.1	Amend clause 5.8.1 by adding "where possible" at the start of assessment criterion b.	Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission.
1112/4	Vodafone New Zealand Limited	Part 5.8.1	Amend row 1 in table 5.8.1 as follows (additions underlined and deletions in strikethrough): "Any aboveground telecommunication, electricity or wastewater network utility <u>located within the legal road reserve</u> that has an area not exceeding <del>of</del> 2m" in plan view and does not exceed 4.6 1.8m in height ( <del>excluding</del> plinth) provided that this rule excludes masts and antennas."	Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission.
2294/1	R A Walden	Part 5.8.1	Add the requirement at clause 5.8.1 that when works are carried out on a road in the area of waterways or streams or culvert pipes that pass under the road, a functional and ecologically suitable fish bypass is constructed and maintained at the same time.	Vector opposes this submission to the extent that it is inconsistent with Vector's original submission, and for the reasons set out in its original submission.
892/5	Shirley A Watkins	Table 7.2	Amend table 7.2 to enable the right to replace or upgrade utility services without consent	Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission.
617/5	Gordon S Hodson	Part 10c	The development controls as promulgated in the Plan are both confusing and inconsistent and require further drafting.	Vector opposes this submission to the extent that it is inconsistent with Vector's original submission, and for the reasons set out in its original submission. Vector considers that the development controls in Part 10c (subject to the modifications sought by Vector) are not inconsistent and are appropriate to achieve sustainable management. Further, it is unclear how the submitter wishes for Part 10c to be specifically amended.
2796/1	Sean Deery	Part 10c	Reject the entire part 10c Development controls and revert to the existing operative plan with minor changes	Vector opposes this submission to the extent that it is inconsistent with Vector's original submission, and for the reasons set out in its original submission. Vector considers that the development controls in Part 10c (subject to the modifications sought by Vector) are appropriate to achieve sustainable management.
2799/1	Brent Gibson			
2800/1	Hauraki Gulf Planning Group			

Sub No.	Submitter Name	Clause	Decision Requested by Submitter	Grounds Opposed / Supported
2806/1	Tony Pope			
2807/1	Sean Deery			
2810/1	Hauraki Gulf Planning Group			
3521/13 2	Auckland Regional Council	Part 11.3.2	Amend the title of clause 11.3.2(10) by replacing 'Infrastructure Constraints' with 'Servicing Constraints'.	Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission.
526/14	Thumb Point Station Limited	Part 12.0	Amend any existing sections of the Plan that refer to the under grounding of electricity and telecommunication services in landforms which are not urban being a requirement at the time of subdivision. These sections should be amended to encourage placing services underground and that each rural subdivision application will be assessed on what is appropriate for that particular site and proposal.	Vector supports this submission to the extent that it is consistent with Vector's original submission, and for the reasons set out in its original submission. Vector further supports this submission to the extent that it seeks for the particular characteristics of individual developments to be considered rather than imposing a blanket rule requiring the undergrounding of services, which reflects that there are often practical and economic factors which may not make it practicable to underground the services for every development.
527/14	Man O'War Farm Limited			
528/14	Huruhe Station Limited			
529/14	Man O' War Station Limited			
539/14	South Coast Station Limited			