

BEFORE THE MANAWATU-WANGANUI REGIONAL COUNCIL

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of submissions and
further submissions
made by
**TRANSPower NEW
ZEALAND LIMITED** on
the Proposed Horizons
One Plan –
Infrastructure, Energy
Waste - Chapters 3.

**STATEMENT OF EVIDENCE OF DAVID LE MARQUAND ON
BEHALF OF TRANSPower NEW ZEALAND LIMITED: CHAPTER 3
INFRASTRUCTURE, ENERGY AND WASTE**

1.0 INTRODUCTION

- 1.1 My name is David le Marquand and I am a Director of Burton Planning Consultants Limited. My qualifications are a Bachelor and Master of Arts degree in Geography from Auckland University. I have practised resource management for over twenty-eight years: fifteen of those years in Central Government including six years as a Scientist in the Planning Section of the Water and Soil Directorate (MWD) Wellington, and two years as a Policy Analyst and five years as a Senior Policy Analyst with the Ministry for the Environment in Auckland. I have spent the last thirteen years as a Resource Management Consultant with Burton Consultants.

- 1.2 I have been the Account Manager for Transpower for more than twelve years. In that role I have been responsible for providing advice to Transpower, on a national basis, on relevant district and regional plan provisions and various resource management issues affecting Transpower operations. I have also been involved in a range of transmission projects relating to new and existing infrastructure involving various regional and district council consents, designations and outline plans.

2.0 BASIS OF EVIDENCE

- 2.1 My evidence generally supports the submissions and further submissions lodged by Transpower on the Proposed One Plan.

- 2.2 I have read and am familiar with the Proposed One Plan provisions, and the staff report in relation to Transpower's submissions and further submissions. My evidence primarily focuses on the recommendations in the Planners Report on Chapter 3, as they relate to the concerns of Transpower.

- 2.3 I have read the Code of Conduct for Expert Witnesses issued as part of the Environment Court Practice Notes. I agree to comply with the code and am satisfied the matters I address in my evidence are within my expertise. I am not aware of any material facts that I have omitted that might alter or detract from the opinions I express in my evidence.

3.0 NATIONAL POLICY STATEMENT ON ELECTRICITY TRANSMISSION

- 3.1 Paragraphs 3.3 to 3.9 of my "Land Hearing" evidence¹ provides some relevant background to Transpower and to the National Policy Statement on Electricity Transmission (NPSET). The preamble to the NPSET includes the following statement:

The national policy statement is to be applied by decision-makers under the Act. The objective and policies are intended to guide decision-makers in drafting plan rules, in making decisions on the notification of the resource consents and in the determination of resource consent applications, and in considering notices of requirement for designations for transmission activities.

¹ Statement of evidence of David le Marquand on behalf of Transpower NZ Ltd : Land Hearing: 30th June 2008.

3.2 In addition to the objective the most relevant policies from the NPSET that apply to this hearing are outlined in Appendix A.

4.0 SUBMISSIONS ON INFRASTRUCTURE, ENERGY AND WASTE - CHAPTER 3

4.1 There are a number of further submissions where I accept the relief proposed in the staff report and do not wish to comment further. These are:

- Further submission 523/1 (supporting Might River Power 359/20);
- Further submission 523/2 (supporting Meridian Energy 363/21);
- Further submission 523/3 (supporting Ngati Kahungunu 180/12);
- Further submission 523/4 (opposing Landlink 440/12);
- Further submission 523/5 (opposing Landlink 440/12);
- Further submission 523/6 (opposing Landlink 440/12);

4.2 Transpower sought the following general relief in submission 265/2:

Ensure that there is adequate recognition and protection in the Plan of regionally and nationally significant infrastructure. This can be achieved in Chapter 3 by retaining the infrastructure provisions without further modification except for the following:

Paragraph 3.1

4.3 Various specific relief followed to give effect to that general relief, the first in relation to the first paragraph in 3.1 is as follows:

Horizons recognises that some infrastructure is regionally and nationally important. Infrastructure* can have adverse effects on the environment and other activities can have adverse effects on infrastructure*. The provision, maintenance and upgrading of infrastructure corridors is critical to the viability and growth of the Region. Much infrastructure must be located where it is required to serve communities or to operate efficiently. There is often a functional constraint on the location and operation of infrastructure which may result in localised adverse effects. Horizons wants to ensure that concerns over localised effects do not override the benefits of infrastructure but rather a balance is struck, through appropriate management, between the level of adverse effects generated and the function, nature and benefit of the relevant infrastructure. and effects are balanced and managed appropriately.*

4.4 The staff report (p28) identifies that the submission has been accepted in part. However, there is no specific discussion in the staff report of the submission or matters it deals with, and no change to the paragraph has been proposed. The intent of the submission is to clarify in a little more detail how the Chapter should approach the weighting of the trade off between adverse

effects and the benefits of nationally significant infrastructure. While the submission focuses on corridors, and therefore linear networks such as transmission lines, it could equally apply to other types of infrastructure. In my opinion it also rather succinctly summarises the intent of the NPSET and is really the basis for which identifying nationally and regionally significant infrastructure. Furthermore it introduces the concept of functional constraint that is used later in policy 3-3. Attached as Appendix B is my suggested rewording of the Chapter 3 provisions I consider need further amendment. For paragraph 3.1, I have adopted the wording of Transpower's submission.

Issue 3.1

- 4.5 In submission 265/3 Transpower sought that issue 3.1 be reworded as follows:

There is potential for concerns about local adverse effects to prevail over the regional and national benefits of operating and managing existing infrastructure corridors, and developing new infrastructure and renewable energy.*

- 4.6 The staff report rejects the submission and recommends no change, although I note that the report does not discuss the reasons for this recommendation. I support Transpower's proposed rewording. The reworded issue introduces a very important distinction between effects relating to existing infrastructure and effects arising from new infrastructure. The importance of this becomes evident in relation to policy 3-3, which I discuss later in my evidence. My experience to date in relation to regulatory responses to the ongoing operation, maintenance and minor upgrading of existing corridors, is that there is invariably a disproportionate weighting given to specific localised effects when considering effects from existing infrastructure (e.g. concerns over amenity values arising from trimming a particular tree), when compared to the weighting of the regional and national benefits that are provided by that infrastructure. By contrast, when new infrastructure is proposed the consideration of effects is inherently broader, generally being argued in terms of the overall route or site selection process. While this will not and does not diminish concerns over local effects the whole process, at least initially, starts from a broader consideration of effects. Furthermore the ongoing maintenance and upgrading effects can also be factored into that assessment and final route selection process. A greater recognition of the

regional and national importance is imperative for the operation of existing development or for establishing new infrastructure.

Policy 3-1

- 4.7 Transpower sought that Policy 3-1 be retained without further amendment (submission 265/5). The staff report recommends accepting this submission, staff have proposed that policy 3-1 be amended in light of other submissions. Those proposed changes are, in my opinion, acceptable. However, having considered the matters further, and in light of the overall changes to the chapter (and other recommendations to wording as a result of the Land and Biodiversity hearings), I consider it appropriate to make some consequential changes to the policy. I address these changes when I discuss policy 3-3 later in my evidence, and on that proviso I support the recommendations of the staff report.

Policy 3-2

- 4.8 Transpower sought the retention of Policy 3-2 subject to the following amendment in (a):

Ensuring that current infrastructure corridors are identified and recognised and taken into account in all resource management decision-making, and any development that will adversely affect the efficiency or effectiveness of infrastructure* within these corridors is avoided.*

- 4.9 The staff report recommends accepting in part the submission but make the following comment:

Transpower requests that the policy include identification and recognition of infrastructure corridors. Identification in district plans of the electricity transmission network is required by the Electricity Transmission NPS. Stating this in the policy would be consistent with the NPS, but I do not consider it to be necessary to repeat the requirements of the NPS in the RPS.

- 4.10 In my opinion the identification and recognition of existing corridors in the One Plan (RPS section) is critical to ensuring that nationally and regionally significant infrastructure is dealt with appropriately, particularly in relation to reverse sensitivity issues. When making decisions Councils should be aware if there are any transmission lines that could potentially be adversely affected by the activity they are considering. If staff do not have access to a suitable

database, then they will be relying on the applicant to identify such areas with the consequence that the potential adverse effects of some activities could be overlooked. The staff report correctly identifies that the NPSET (Policy 9) requires territorial authorities to identify the transmission lines on their district plans, however Policy 11 also requires local authorities (which includes regional councils) to identify an appropriate buffer corridor around the transmission lines. Horizons should already have existing transmission line information within their GIS. If not, Transpower is able to provide such information to Council in the most appropriate electronic format (at Transpower's expense) in order to start defining an appropriate buffer. Without the amendment I have a concern that the Regional Council will continue to think that it is only District Councils that have to be aware of their location and identify suitable buffers in relation to transmission lines.

Policy 3-3

- 4.11 In my opinion Policy 3-3 is likely to be the most critical policy for regionally and nationally important infrastructure. In its submission Transpower sought the following:

Ensure that existing and new transmission corridors can (continue to) traverse such areas identified in Policy 3-3 without the need to avoid all adverse effects. This can be achieved by the following:

- (i) Delete Policy 3-3 and replace with a policy that clearly identifies the positive effects of such infrastructure.
- (ii) In the alternate, if a policy is required to address adverse effects arising from infrastructure, that policy 3-3 is redrafted along the following lines:

Policy 3-3: Adverse effects of infrastructure on the environment

When making decisions on consent applications regarding infrastructure*, the significant adverse effects of infrastructure* on the environment shall be managed in the following manner:

- (a) **Effects to be avoided** – The following adverse effects of infrastructure* shall be avoided ~~to the same extent required of other types of activities:~~
 - (i) significant adverse effects on waahi tapu, waahi tupuna and other sites of significance to Māori
 - (ii) significant adverse effects on specified waterways valued for natural state and sites of significance (aquatic)
 - (iii) ~~effects on rare and threatened habitats as defined in Chapter 7~~
 - (iv) significant adverse effects on the outstanding natural features and landscapes identified in Chapter 7
 - (v) significant adverse effects on protection zones in the coastal marine area as identified in Chapter 9 ;

unless functional constraints make this ~~impossible~~ *impracticable*, in which case adverse effects should be mitigated as far as practicable. ~~Mitigation may include the use of financial contributions in accordance with the policies in Chapter 18.~~

(b) **Other effects** – All other adverse effects of infrastructure* will be managed in a manner that tolerates minor adverse local effects and takes into account:

- (i) the benefits of infrastructure*, particularly the benefits of regionally or nationally important infrastructure*
- (ii) the integration of the infrastructure* with land use
- (iii) the benefits to be derived from the use and development of renewable energy.

4.12 The staff report has recommended accepting in part Transpower's submission and recommends (in relation to all the submissions on this policy) the following changes:

Policy 3-3: Adverse effects of infrastructure on the environment

When making decisions on consent applications regarding infrastructure*, the adverse effects of infrastructure* on the environment shall be managed in the following manner:

(a) **Effects to be avoided** – ~~The following~~ adverse effects of infrastructure* on: ~~shall be avoided to the same extent required of other types of activities:~~

- (i) ~~effects on~~ waahi tapu, waahi tupuna and other sites of significance to Māori.
- (ii) ~~effects on~~ specified waterways valued for natural state and sites of significance (aquatic).
- (iii) ~~effects on~~ rare and threatened habitats as defined in Chapter 7.
- (iv) ~~effects on~~ the outstanding natural features and landscapes identified in Chapter 7.
- (v) ~~effects on~~ protection zones in the coastal marine area as identified in Chapter 9.

shall be managed in the same manner as other types of activities unless functional constraints require them to locate in those areas make this impossible, in which case adverse effects should be mitigated. Mitigation may include the use of financial contributions in accordance with the policies in Chapter 18.

(b) **Other effects** – All other adverse effects of infrastructure* will be managed in a manner that tolerates minor adverse local effects and takes into account:

- (i) the benefits of infrastructure*, particularly the benefits of regionally or nationally important infrastructure.*
- (ii) the integration of the infrastructure* with land use.
- (iii) the benefits to be derived from the use and development of renewable energy.

A financial contribution may be sought in order to provide the option of offsetting or compensating for adverse effects, rather than requiring adverse effects to be avoided, remedied or mitigated, in accordance with the policies for financial contributions in Chapter 18 of this Plan.

- 4.13 In my opinion it is important to recognise that Transpower's existing network traverses many of these sensitive areas and that due to the ubiquitous nature of many of these areas (e.g. outstanding landscape and rare and threatened habitats), any future new transmission line development within this region is likely to have to traverse at least some parts these areas.
- 4.14 There remain a number of key concerns with the revised provisions:
- The policy identifies four resource areas that are effectively Part II matters that will be looked at in terms of any Section 104 assessment. It is not clear why, in the policy, they should or need to be elevated above the consideration of infrastructure.
 - It is not clear why the benefits of infrastructure are or should only be recognised in relation to "(b) Other Effects" but not in those areas identified in "(a) Effects to be avoided". This is of particular concern to Transpower as its existing transmission lines already traverse many areas identified in (a).
 - The policy implies "minor" adverse effects will only be tolerated when infrastructure is not located in the sensitive areas. Again, this is of particular concern to Transpower as its existing transmission lines already traverse many areas identified in (a) and activities such as vegetation trimming or minor earthworks on tower foundations are essential to maintain the integrity of the network .
 - The policy makes reference to financial contributions for both (a) and (b). This is of concern particularly in relation to the fact it is referred to in that part of the policy that relates to minor effects. While submissions have yet to be heard on Chapter 18 the linkage to that chapter in this policy has the potential to create an expectation that there will be offsetting and compensation everywhere infrastructure is established or continues to operate.
- 4.15 For existing infrastructure to operate, be maintained and upgraded, there will be an envelope of effects associated with it. In terms of Transpower's infrastructure it is appropriate to consider the line as a dynamic corridor, within which effects such as tower maintenance, vegetation trimming, line upgrading and the like occurs. Furthermore it is far more efficient to try and get as much performance out of an existing transmission line than it is to build

a new transmission line. On this basis, and irrespective of the rule thresholds, it is my opinion that it is appropriate to set a reasonably highly tolerant policy threshold for works on existing infrastructure. The staff recommended policy amendments, make a distinction between sensitive and non-sensitive areas, but it does not draw a distinction between the consideration of effects in the context of new versus existing infrastructure. The NPSET does make such a distinction and as a consequence is, in my opinion, an appropriate basis upon which to base the infrastructure framework in Chapter 3.

4.16 In my opinion, for new infrastructure, it is appropriate to set a higher policy threshold, to encourage avoidance in the first instance and to then effectively require a robust route/site selection process. For a transmission line at least, it is the initial route selection that will enable the effects of a line to be mitigated as far as practicable over the entire length of line. Beyond this there is really little scope for specific mitigation measures. Also, given the nature and need for such infrastructure it must be recognised that the identified sensitive areas (Policy 3-3 part (a)) are not inviolable in a policy sense. Indeed the NPSET takes this approach, it makes it clear in Policy 5 that decision makers must enable the reasonable operational, maintenance and minor upgrading of existing assets and that when planning and developing the transmission system (i.e. new infrastructure) one should (Policy 8) “seek to avoid” adverse effects in the rural environment on the likes of outstanding natural landscapes and high natural character, recreational and amenity areas, and in existing urban environments (policy 7) one “should seek to minimise” those effects on the likes of high recreational and amenity areas.

4.17 In my opinion, the policy framework in Chapter 3 should seek to allow essential infrastructure a way through, and that should not be by simply requiring it to pay significant financial contributions. There is a need to develop a realistic policy framework so that if a situation arises where financial contributions can be considered, the starting point is not “minor” adverse effects but rather where adverse effects are not mitigated to the extent practicable. This is because there may be occasion where such areas just cannot be avoided. For example, given the extent of threatened habitats or outstanding landscapes, it is difficult to envisage being able to build a new line through the region that doesn’t need to traverse any such areas. Furthermore the staff recommended policies in Chapter 7 set an intolerant

threshold for adverse effects and as such there would be recourse to financial contributions e.g. policy 7-2² includes the following:

(iii) Any more than minor (but less than significant) adverse effects are adequately remedied or mitigated, including through the use of financial contributions to adequately compensate or offset the adverse effects, and
(iv) The remedy, mitigation or financial contribution identified in (ii) above results in a net conservation gain to the habitat type in the Region
(e) The activities described in subsection (b) may be allowed for other purposes where there are no more than minor adverse effects on the representativeness, rarity and distinctiveness or ecological context of the rare and threatened habitat, as assessed in accordance with Table 7.1 ~~Schedule E~~.*

- 4.18 In my opinion it is appropriate to disconnect the financial contribution references in the various policies (e.g. Chapter 3 and 7) and apply those as necessary in terms of the framework in Chapter 18. Transpower lodged submissions on Chapter 18 and the issues with that Chapter is better dealt in terms of those hearings.
- 4.19 I have proposed amendments to Policy 3-3 in Appendix B. As referred to earlier in my evidence, these require a consequential amendment to policy 3-1(b), which deals with the benefits of infrastructure. Policy 3-3 is then split into the consideration of effects from new infrastructure and existing infrastructure. In essence new infrastructure in identified sensitive areas should be avoided, to the extent practicable and where appropriate consideration has been given to the matters identified in 3-1 (b) there is no practical alternative to avoidance, in which case mitigation should be pursued.
- 4.20 In terms of existing infrastructure in such sensitive areas, in essence, significant adverse effects should be avoided, as far as practicable, but minor effects are tolerated. I have also deleted reference to financial contributions within the policy, as it is unnecessary for the reasons specified and as those matters are best specifically dealt with in terms of Chapter 18.

Linkages

- 4.21 There may well need to be a cross reference back to Chapter 3 from Chapter 18 and/or require further amendments to Chapter 18 depending upon decisions made in respect of Chapter 3. As a matter of principle there should

² Statement of Evidence of David le Marquand Chapter 7 Biodiversity 21st July 2007 (see p5).

be a clear linkage in all chapters back to Chapter 3. This would avoid, for example, the current situation in Chapter 12 where policy 12-5 links back to Chapter 7 but there is no link to Chapter 3 for any policy consideration in relation to infrastructure proposals in threatened or at-risk habitats.

Functional Constraint

- 4.22 I note the staff report (p154) raises some concern over the use of the term “functional constraint” and indicates that while the preference of staff is to adopt the term “no practical alternative”, this is dismissed as being outside the scope of the submissions. I do not share that opinion. While I accept that the specific wording of the provisions, as I have now proposed, is not the specific wording as sought, what I have proposed is, in my opinion, within the scope and intent of Transpower’s submission and is an appropriate response to the staff recommendations while also giving effect to the NPSET.

5.0 CONCLUSION

- 5.1 Chapter 3 is vitally important to Transpower as it establishes the basis for considering the benefits of infrastructure (including corridors) throughout the region, the effects of activities on infrastructure and managing the effects arising from infrastructure. At present it fails to provide an appropriate framework to balance relevant and important considerations, inappropriately giving weight to matters before they are considered in a specific context. Furthermore consideration is required to be given to adopting a different policy approach for new and existing infrastructure, particular in relation to the way the effects arising from infrastructure are proposed to be managed. The NPSET provides some relevant guidance on these matters. The proposed rewording of the provisions I have outlined will, in my opinion, satisfy Transpowers submission while also giving effect (in terms of this Chapter) to the NPSET.

David le Marquand

05.08.08.

APPENDIX A

In addition to the objective the most relevant policies from the National Policy Statement on Electricity Transmission that apply to the Chapter 3 hearing are outlined as follows:

Objective

To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

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

Policy 1

In achieving the purpose of the Act, decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. The benefits relevant to any particular project or development of the electricity transmission network may include:

- i) maintained or improved security of supply of electricity; or*
 - ii) efficient transfer of energy through a reduction of transmission losses; or*
 - iii) the facilitation of the use and development of new electricity generation, including renewable generation which assists in the management of the effects of climate change; or*
 - iv) enhanced supply of electricity through the removal of points of congestion.*
- The above list of benefits is not intended to be exhaustive and a particular policy, plan, project or development may have or recognise other benefits.*

Policy 2

In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network.

Policy 3

When considering measures to avoid, remedy or mitigate adverse environmental effects of transmission activities, decision-makers must consider the constraints imposed on achieving those measures by the technical and operational requirements of the network.

Policy 4

When considering the environmental effects of new transmission infrastructure or major upgrades of existing transmission infrastructure, decision-makers must have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection.

Policy 5

When considering the environmental effects of transmission activities associated with transmission assets, decision-makers must enable the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.

Policy 8

In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.

Policy10

In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.

Policy11

Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (so as to facilitate the long-term strategic planning of the grid).

Policy14

Regional councils must include objectives, policies and methods to facilitate long-term planning for investment in transmission infrastructure and its integration with land uses.

REWORDED PROVISIONS: CHAPTER 3

2nd Paragraph 3.1

Horizons recognises that some infrastructure is regionally and nationally important. Infrastructure* can have adverse effects on the environment and other activities can have adverse effects on infrastructure*. The provision, maintenance and upgrading of infrastructure (particularly infrastructure corridors) is critical to the viability and growth of the Region. Much infrastructure must be located where it is required to serve communities or to operate efficiently. There is often a functional constraint on the location and operation of infrastructure which may result in localised adverse effects. Horizons wants to ensure that concerns over localised effects do not override the benefits of infrastructure but rather that a balance is struck, through appropriate management, between the level of adverse effects generated and the function, nature and benefit of the relevant infrastructure. ~~and effects are balanced and managed appropriately.~~*

Issue 3.1

There is potential for concerns about local adverse effects to prevail over the regional and national benefits of operating and managing existing infrastructure corridors, and developing new infrastructure and renewable energy.*

Policy 3-2 (a)

Ensuring that current infrastructure corridors are identified and recognised and taken into account in all resource management decision-making, and any development that will adversely affect the efficiency or effectiveness of infrastructure* within these corridors is avoided.*

Policy 3-3:

Ensure that appropriate links are included in the other sections of the Plan so that the policies in Chapter 3 form part of the effects consideration when assessing activities in relation to any other section of the Plan: and

- a) Delete Policy 3-3 and include specific policy that identifies positive effects of infrastructure. A suitable policy could see 3-1 (b) enhanced along the following lines:

(Note below is not in redline format)

In making decisions about the establishment, maintenance, alteration, upgrading and expansion of infrastructure* within the Region, including the infrastructure* of regional and national importance listed in subsection (a), shall take into account:

- the benefits derived from the infrastructure* at a local, regional and national level; and
- the essential nature of the proposed activity for the operation or enhancement of the infrastructure; and

- operational, technical and functional requirements and constraints; and
- for new infrastructure the extent to which alternative sites, routes and locations have been considered; and
- the integration of the infrastructure* with land use; and
- the benefits to be derived from the use and development of renewable energy; and
- the benefits to be derived from the efficient use of infrastructure.

b) Adverse effects of infrastructure on the environment

When making decisions on consent applications regarding infrastructure*, the adverse effects of infrastructure* on the environment shall be managed in the following manner:

(a) **Effects from new infrastructure** – The adverse effects of new infrastructure* shall avoid:

(i) adverse effects on waahi tapu, waahi tupuna and other sites of significance to Māori

(ii) adverse effects on specified waterways valued for natural state and sites of significance (aquatic)

(iii) adverse effects on rare and threatened habitats as defined in Chapter 7

(iv) significant adverse effects on the outstanding natural features and landscapes identified in Chapter 7

(v) adverse effects on protection zones in the coastal marine area as identified in Chapter 9 ;

unless, after consideration of the matters in policy 3-1(b), this is impracticable or there are no other practical alternatives, in which case adverse effects should be mitigated as far as practicable.

(b) **Effects from existing infrastructure** – Adverse effects of existing infrastructure* will be managed in a manner that avoids or reduces significant effects in areas (a)(i) to (v) above as far as practicable, and otherwise generally tolerates minor adverse local effects.