



TRANSPOWER

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2 September 2020

Proposed Waikato District Plan Hearing
Waikato District Council
Private Bag 544
Ngaruawahia 3742
Via email: districtplan@waidc.govt.nz

Dear Sir/Madam

HEARINGS ON THE PROPOSED WAIKATO DISTRICT PLAN

Hearing 18 – Rural Zone

Submitter Reference: Transpower NZ Ltd S576 and FS1350

Transpower New Zealand Ltd (“**Transpower**”) writes in relation to Hearing 18 – Rural Zone commencing on 29 September 2020.

Given the limited number of submission points of relevance to Transpower within the Hearing 18 s42A reports, Transpower is not proposing to adduce evidence to Hearing 18 on the points outlined below. If, prior to the hearing, the Hearings Panel consider it useful for Transpower to appear before the panel to explain and answer any questions on the below, it would be more than happy to do so.

Transpower will be appearing at the Infrastructure hearing scheduled for October where there are multiple Transpower submission points of specific and particular relevance to Transpower.

Hearing 18 – Rural Zone (Chapters 5, 22 and associated definitions)

In addition to plan wide provisions relating to the ongoing operation, maintenance, development and upgrading of the National Grid, Transpower made one original and six further submission points to be heard at Hearing 18. The officer recommendations are supported/not supported as follows:

Recommendations supported

Submission Points FS1350.116, FS1350.115, FS1350.99

S42A Report reference: Section 2. Transpower Provisions, para 49-52, 272

Transpower provided a number of submission points (FS1350.116, FS1350.115, FS1350.99) opposing the relief sought by Waikato District Council (697.811, 697.807, 697.765) to replicate the National Grid Yard specific rules from Chapter 14 into Chapter 22. It is not clear if the intent of the submission was to duplicate or transfer the rules.

The Section 42A Reporting Officer¹ has accepted the Transpower further submissions in part but has

¹ Section 42A Hearing Report, LU - Rural Zone, Page 24, paragraphs 49-52

not relocated the National Grid provisions, rather accepts the “*structural outcomes sought by Transpower appears to better align with the NPS. ... Given their length, and their likely location in another section of the Plan, I have not shown these rules in the recommended text amendments as ultimately I do not consider that the Rural Chapter is the best place for them.*” Specific to earthworks the officer has commented² “*I agree with the Transpower further submission that whilst the Proposed Plan may not have been drafted to align to the National Planning Standards, it is another matter to amend the layout of the Proposed Plan to move further from the outcome sought by the Standards. Ultimately the appropriate location for these provisions is a zone structure matter for the Panel, the outcome of which cuts across various topics, not just this Rural Chapter. I agree that the rule framework (whether ultimately through Chapter 14 or Chapter 22) needs to adequately control earthworks in close proximity to the national grid.*”

Transpower supports the recommendations as it prefers a standalone set of National Grid provisions for the reason that it avoids duplication and provides a coherent set of rules which submitters can refer to, noting that the planning maps clearly identify land that is subject to the National Grid provisions. A stand-alone set of provisions as provided in the notified plan is also consistent with the National Planning Standards direction.

Submission Point FS1350.49

S42A Report reference: Section 2. Transpower Provisions, para 49-52, 272

In its further submission point FS1350.49 Transpower supported the submission point by Horticulture New Zealand Ltd (419.115) seeking a definition for “Artificial crop protection structures”. The officer recommendation to include a definition³ as sought is supported.

Recommendation not supported

Submission Points 576.11 and FS1350.08

S42A Report reference: Policy 5.3.9 Page 90 and Policy 5.3.7 Page 133

In its submission (576.11) Transpower sought a new clause (c) within Policy 5.3.9 *Non-rural activities* to recognise that some non-rural activities require a rural location. A similar outcome was sought in its further submission point FS1350.8 on the submission point by Genesis Energy Ltd (924.14) seeking reference to regionally significant infrastructure within Policy 5.3.7.

The Section 42A Report has recommended significant rewording of the policies within Chapter 5, and in particular Policies 5.3.7 and 5.3.9. The strategic objective 5.1.1⁴ is also amended to include reference to the support of network utilities within the rural environment. While Transpower accepts that limited policy support for non-rural activities is provided within officer amended policies 5.3.3, 5.3.4 and 5.3.5, they do not adequately recognise network utilities. While acknowledging that Chapter 6 provides for infrastructure, including electricity transmission, it is appropriate to recognise in the Rural Chapter that some activities, including electricity transmission, have particular requirements that mean they require a rural location. This would provide consistent policy recognition across the chapters.

Transpower would support amendment to Policy 5.3.4 as identified below in red.

5.3.4 Policy – Other anticipated activities in rural areas

(a) Enable activities that provide for the rural community’s social, cultural, and recreational needs, subject to such activities being of a scale, intensity, and location that are in keeping

² Section 42A Hearing Report, LU - Rural Zone, Page 24, paragraph 272

³ Artificial Crop Protection Structure - Means structures with material used to protect crops and/or enhance growth (excluding greenhouses).

⁴ 5.1.1 Objective – The Rural Environment

(a) Subdivision, use and development within the rural environment is provided for where:

(i) High class soils are protected for productive rural activities;

(ii) Productive rural activities, rural industry, network infrastructure, community activities, and extractive activities are supported, while maintaining or enhancing the rural environment;

(iii) Urban subdivision use and development in the rural environment is avoided.

with rural character and amenity values and are consistent with managing urban growth through a consolidated urban form.

(b) Activities subject to this policy include:

(i) Community activities including childcare, education, health, and spiritual activities;

(ii) Recreation activities that require a rural or extensive open space setting including equestrian and horse training centres, gun clubs and shooting ranges, golf courses, and walking and cycling trails;

(iii) Emergency Service facilities;

(iv) Conservation activities

(c) Recognise that network utilities can often require a rural location

Submission Point FS1350.128

S42A Report reference: Section 6.3 Analysis, para 90

Transpower made a further submission point (FS1350.128) in relation to Waikato District Council submission point 697.821, with the officer accepting the original submission to replicate the subdivision rule within the National Grid Corridor from Chapter 14 into Chapter 22. As above it is not clear if the intent of the submission was to duplicate or transfer the rules. The officer reasoning for this is as per the officer recommendation on the Village Zone. As part of the reasoning provided in support of the recommendation, the reporting officer considers there is a risk that a landowner wishing to subdivide within the National Grid Corridor will not realise that there are rules relating to this matter and would not think to look in the Infrastructure and Energy chapter of the Plan. Whilst this may be possible, Transpower notes that the National Grid is clearly mapped on the planning maps (which is commonly the first part of the plan users look at in relation to their property), and as such, provides a clear indication to plan users that other plan provisions will apply.

Transpower also notes that this recommendation appears to be at odds with the recommendation in the Rural Zone land use s42A report (refer above in relation to FS1350.116, FS1350.115, FS1350.99) which does not support the unnecessary duplication of rules across the plan chapters and considers that such an approach in relation to National Grid provisions undermines the purpose of having the infrastructure and energy-related rules in one specific chapter. As outlined above, Transpower supports this stance to not create unnecessary duplication within the plan. A preferable option would be to have clear cross-referencing in the subdivision sections of each zone chapter to the National Grid provisions in the Infrastructure chapter. For these reasons Transpower does not support the s42A recommendation on the above point and instead seeks retention of the National Grid Subdivision Corridor provisions within Chapter 14.

Hearing Appearance

Transpower requests this letter be tabled at the hearing in support of its submission points and the Section 42A Report recommendations as outlined above. Should you require clarification of any matter, please contact Rebecca Eng at Transpower (09 590 7072), or on the following email: Rebecca.Eng@transpower.co.nz

Yours faithfully



Rebecca Eng
Senior Environmental Planner