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9 December 2019

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 7 – Industrial Zone & Heavy Industrial Zone

Submitter Reference: Transpower NZ Ltd S576 and FS1350

Transpower New Zealand Ltd (“**Transpower**”) writes in relation to Hearing 7 – Industrial Zone & Heavy Industrial Zone, commencing on 21 January 2020.

Given the limited number of submission points of relevance to Transpower within the Hearing 7 s42A reports (consisting of four parts A-D), Transpower is not proposing to adduce evidence to Hearing 7 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 subsequent hearings where there are multiple Transpower submission points of specific and particular relevance to Transpower.

Hearing 7 – Industrial Zone & Heavy Industrial Zone (Chapters 4, 20, 21)

In addition to plan wide provisions relating to the ongoing operation, maintenance, development and upgrading of the National Grid, Transpower made 6 further submission points to be heard at Hearing 7.

It is noted that there are some points of interest to Transpower which are not addressed as part of the Hearing 7 s42A reports but which have been allocated to subsequent hearings. The below comments are therefore made subject to any further consideration of relevant matters at subsequent hearings.

Summary of Transpower's response to s42A Recommendations

By way of summary, Transpower:

- Supports the officer recommendation to accept further submission **FS1350.48** in relation to retaining Policy 4.6.2 (Provide Industrial Zones with different functions)
- Supports the officer recommendation to accept further submission **FS1350.96** in relation to the unnecessary duplication of Chapter 14's National Grid earthwork rules into Chapter 20
- Supports the officer recommendation to accept further submission **FS1350.95** in relation to the location of plan provisions (including rules) related to the National Grid within Chapter 14 of the plan
- Supports the officer recommendation to accept further submission **FS1350.126** in relation to the unnecessary duplication of Chapter 14's National Grid subdivision rule into Chapter 20
- Supports the officer recommendation to accept further submission **FS1350.98** in relation to the unnecessary duplication of Chapter 14's rules for earthworks and any built structure within the National Grid Yard into Chapter 21
- Is uncertain why the officer recommendation is to reject **FS1350.97** when the relief sought by the further submission is essentially provided as a result of the partial relief provided in response to submission **697.694** (Waikato District Council). Nevertheless, Transpower supports the officer's recommended approach to not duplicate National Grid provisions across multiple chapters of the plan and to instead rely on cross-referencing.

Section 42A Officers Report Recommendations and Transpower's Response

The following comments are specific to the recommendations on submission points sought by Transpower.

Recommendations supported or conditionally supported

Industrial Zone & Heavy Industrial Zone objectives & policies

S42A Report (Part A) reference: Section 9 – Policy 4.6.2 Provide for different functions (FS1350.48)

In its further submission (**FS1350.48**) Transpower supported submission **742.28** (NZTA) and the relief sought by the submission to retain Policy 4.6.2. The s42A reporting officer considers the policy to be appropriate and recommends its retention, and therefore recommends accepting the submission and further submission. Transpower supports the officer recommendation, noting that the relief sought in terms of including a definition of regionally significant infrastructure will be canvassed at the Infrastructure hearing.

Chapter 20 - Industrial Zone Rules

S42A report (Part B) reference: Section 25 – Rule 20.2.5 Earthworks (FS1350.96, FS1350.95)

In its further submission (**FS1350.96**) Transpower opposed submission **697.625** (Waikato District Council) and the relief sought by the submission to replicate the Chapter 14 rules for earthworks relating to the National Grid in Chapter 20.

Transpower's further submission on this matter opposed the relief sought as a standalone set of provisions for the National Grid is supported and preferred (for the reason it avoids duplication and provides a coherent set of rules plan users can refer to). The s42A reporting officer agrees with the further submission and considers the duplication to be unnecessary and counter to the main purpose of Chapter 14 which is to provide a one-stop set of district-wide rules (refer para 360). The recommendation is to accept FS1350.96 (and reject submission 697.625). Transpower supports the officer's recommendation and the reasoning provided as it is consistent with the relief sought in its further submission in relation to this matter.

The reporting officer notes that an alternative solution to avoiding duplication but ensuring rules regarding earthworks in the National Grid Yard are not overlooked by plan users would be to provide a cross reference to the National Grid rules under Rule 20.2.5 with a hyper-link to the National Grid rules. This approach is supported by Transpower.

In its further submission (**FS1350.95**) Transpower also opposed submission **697.621** (Waikato District Council) and the relief sought by the submission as far as it related to the relocation of National Grid provisions. The officer recommendation is to accept in part submission 697.621 (and to accept FS1350.95) by granting part of the relief sought, but not that part related to the insertion of a reference to a new rule 20.2.5.1A (which the officer clarifies as being the new rule that Council seeks relating to earthworks in the National Grid – refer para 362). Transpower supports this recommendation.

S42A report (Part B) reference: Section 32 – Rule 20.4 Subdivision (FS1350.126)

In its further submission (**FS1350.126**) Transpower opposed submission **697.659** (Waikato District Council) and the relief sought to duplicate Chapter 14's National Grid subdivision rule into Chapter 20. Consistent with the above recommendations, the officer considers such duplication to be unnecessary and counter to the main purpose of Chapter 14, which is to provide a one-stop set of district-wide rules. The officer recommendation is therefore to accept FS1350.126 (and reject submission 697.659). Transpower supports this recommendation.

Chapter 21 – Heavy Industrial Zone Rules

S42A report (Part C) reference: Section 42 – Earthworks, buildings, structures and sensitive land uses near the National Grid (FS1350.98)

In its further submission (**FS1350.98**) Transpower opposed submission **697.695** (Waikato District Council) and the relief sought by the submission that Chapter 21 duplicate the rules for earthworks and any built structure within the National Grid Yard as set out in Chapter 14. As outlined, Transpower prefers a standalone set of provisions in Chapter 14 as this avoids duplication and provides a coherent set of rules for plan users.

Consistent with the above recommendations, the officer considers the duplication unnecessary and counter to the purpose of Chapter 14, and recommends accepting **FS1350.98** (noting that the table of recommendations in attachment 1 to the s42A report refers to FS1350.113 not FS1350.98) and rejecting submission **697.695**. Transpower supports this recommendation.

S42A report (Part C) reference: Section 49 – Rule 21.2.5.1 Earthworks – General (FS1350.97)

In its further submission (**FS1350.97**) Transpower opposed submission **697.694** (Waikato District Council) and the relief sought by the submission as far as it related to

the relocation of National Grid provisions. Consistent with the other recommendations of a similar nature, the officer considers that the duplication of earthworks rules relating to the National Grid from Chapter 14 into Chapter 21 as unnecessary. As a result the recommendation is that submission 697.694 be accepted in part and that FS1350.97 be rejected. It is uncertain why the officer recommendation is to reject FS1350.97 when the relief sought by the further submission is essentially provided as a result of the partial relief provided to submission 697.694. Nevertheless, Transpower supports the officer's recommended approach to not duplicate National Grid provisions across multiple chapters of the plan and to instead rely on cross-referencing.

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 Pauline Whitney at Transpower (04 590 7540), or on the following email: Pauline.Whitney@transpower.co.nz

Yours faithfully

A handwritten signature in dark ink, appearing to read 'P. Whitney', with a large, stylized initial 'P'.

Pauline Whitney
Senior Environmental Planner