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14 January 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 9 – Business and Business Town Centre Zones

Submitter Reference: Transpower NZ Ltd S576 and FS1350

Transpower New Zealand Ltd (“**Transpower**”) writes in relation to Hearing 9 – Business and Business Town Centre Zones, commencing in the week beginning 17 February 2020.

Given the limited number of submission points of relevance to Transpower within the Hearing 9 s42A report, Transpower is not proposing to adduce evidence to Hearing 9 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 9 – Business and Business Town Centre Zones (Chapters 17, 18, 19)

In addition to wider plan wide provisions relating to the ongoing operation, maintenance, development and upgrading of the National Grid, Transpower made 3 further submission points to be heard at Hearing 9.

Summary of Transpower’s response to s42A Recommendations

By way of summary, Transpower:

- Accepts the officer recommendation to reject further submission **FS1350.93** in relation to the amendment of the first clause under 18.2.4 Earthworks, ‘(1)

Rule 18.2.4.1' (being the general permitted activity rule for earthworks in the Business Town Centre Zone) to specify exclusions to the rule's application however questions whether the reference to Rule 18.2.4.1 is an error

- Does not support the officer recommendation to reject further submissions **FS1350.124** and **FS1350.125** regarding the unnecessary duplication of the Chapter 14 rules for subdivision within the Business Zone and Business Town Centre chapters.

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/conditionally supported

S42A Report reference: Section 82: Chapter 18 Business Town Centre Zone – 18.2.4 Earthworks (FS1350.93)

In its further submission (**FS1350.93**) Transpower opposed submission 697.261 (Waikato District Council) and the relief sought to amend the first clause under rule 18.2.4 Earthworks, '(1) Rule 18.2.4.1' (being the general permitted activity rule for earthworks in the Business Town Centre Zone), to specify exclusions to the rule's application.

Submission 697.261 (Waikato District Council) sought the following additional wording under 18.2.4 Earthworks, '(1) Rule 18.2.4.1 - ...':

"This rule does not apply in those areas specified in Rules 18.2.4.1A and 18.2.4.2."

Aside from the reference to rule "18.2.4.1A" (there does not currently appear to be such a rule in the proposed plan), it is noted that the amendment sought relates to the following rule provision:

- 18.2.4.2 Earthworks for Maaori Sites and Maaori areas of Significance

The s42A reporting officer considers the wording sought by submission 697.261 to be a minor rule amendment to improve clarity and meaning. The officer recommends that the submission be accepted (and further submission FS1350.93 rejected). The recommended amendment is as follows (**red** text):

18.2.4 Earthworks

(1) Rule 18.2.4.1 – General, provides the permitted rules for earthworks activities within the Business Town Centre Zone. **This rule does not apply in those areas specified in Rules 18.2.4.1 and 18.2.4.2.**

While Transpower accepts the officer recommendation to amend the wording to specify an exclusion to the general permitted activity rule for Rule 18.2.4.2 (Earthworks for Maaori Sites and Maaori areas of Significance), the exclusion of Rule 18.2.4.1 does not seem to make sense as this is the general permitted activity rule in question.

Recommendations not supported

S42A Report references:

Section 65: Chapter 17 Business Zone – 17.4 Subdivision & 17.4.1 General Subdivision (FS1350.124) and

Section 94: Chapter 18 Business Town Centre Zone – 18.4 Subdivision (FS1350.125)

In its further submission (**FS1350.124, FS1350.125**) Transpower opposed submissions 697.223 and 697.301 (Waikato District Council) and the relief sought to essentially replicate the rules for subdivision within the National Grid Corridor that are in Chapter 14 of the proposed plan into Chapters 17 and 18 with the reasoning being that this will increase the clarity and usability of the Plan. As stated in its further submission, Transpower opposes the relief sought and instead supports and prefers a standalone set of National Grid provisions, for the reason 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.

The reporting officer considers the amendments sought by submissions 697.223 and 697.301 provide clarity and recommends they be accepted (with **FS1350.124** and **FS1350.125** rejected) and that the requested new clauses and rule provisions for subdivision within the National Grid Corridor be included into Chapters 17 and 18. It not clear if the recommendation includes the deletion of the rule from Chapter 14, or that they be retained within Chapter 14 and duplicated within Chapter 17 and 18.

For the reasons outlined in its further submission, and consistent with previous statements prepared by Transpower for the hearing process (e.g. for Hearings 6, 7 and 8), Transpower does not support these officer recommendations. Transpower supports and prefers a standalone set of provisions within Chapter 14 for the reason it 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 preferable option to ensure rules regarding the National Grid Yard are not overlooked by plan users would be to have clear cross-referencing in the subdivision sections of each zone chapter to the National Grid provisions (by a hyper-link to the National Grid rules) in the plan's Infrastructure chapter.

It is noted the proposed New Plymouth District Plan, being the first plan notified since the National Planning Standards ("Standards") came into effect and cited as the first plan developed in accordance with the Standards, includes the National Grid subdivision provisions with the Network Utility Chapter as opposed to individual zone chapters.

The issue of rule placement of the National Grid provisions has come up in numerous hearings to date. To date there appears to be no consistent position in officer recommendations. Transpower will continue to provide hearing statements on this issue but will address the issue in full at the Infrastructure hearing when the National Grid provisions are comprehensively addressed.

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'. The signature is written in a cursive style with a large, looped initial 'P'.

Pauline Whitney
Senior Environmental Planner