

# Submission by Transpower New Zealand Limited on Variation 3 to the Proposed Waikato District Plan

26 October 2022

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TRANSPOWER





**Proposed Waikato District Plan  
Enabling Housing Supply Variation 3 to  
the Proposed Waikato District Plan  
Submission form**

ECM Project: PDP2022V003-03
ECM # .....
Submission # .....
Customer # .....
Property # .....

RMA Form 5

**Closing date for submissions: 5pm on Friday 28 October 2022**

**Submitter details:** (please note that the (\*) are required fields and must be completed)

Name of submitter*: <b>Transpower New Zealand Limited</b>	
Contact person for communications*: <b>Dan Hamilton</b>	
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Email address for submitter*: <b>environment.policy@transpower.co.nz</b>	
Email address for agent (if applicable):	
Please tick your preferred method of contact*	Correspondence to*
<input checked="" type="checkbox"/> Email <input type="checkbox"/> Postal	<input checked="" type="checkbox"/> Submitter <input type="checkbox"/> Agent <input type="checkbox"/> Both
Trade competition and adverse effects:*	
<input type="checkbox"/> I could <input checked="" type="checkbox"/> I could not	
gain an advantage in trade competition through this submission.	
Only if you ticked "I could" above, please answer this question:	
I am/am not directly affected by an effect of the subject matter of the submission that:	
(a) adversely affects the environment; and	
(b) does not relate to trade competition or the effects of trade competition.	
Note:	
If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991	
Would you like to present your submission in person at a hearing?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If others make a similar submission I will consider presenting a joint case with them at the hearing	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**Please complete a line for every submission point, adding as many additional lines as you need:**

<b>The specific provisions of the proposal that my submission relates to</b>  <b>e.g provision number, map or natural hazard area</b>	<b>Do you:</b> <ul style="list-style-type: none"> <li>• <b>Support?</b></li> <li>• <b>Oppose?</b></li> <li>• <b>Amend?</b></li> </ul>	<b>What decision are you seeking from Council?</b>  <b>What action would you like:</b> <ul style="list-style-type: none"> <li>• <b>Retain?</b></li> <li>• <b>Amend?</b></li> <li>• <b>Add?</b></li> <li>• <b>Delete?</b></li> </ul>	<b>Reasons</b>
<i>Please see attached.</i>	<i>Please see attached.</i>	<i>Please see attached.</i>	<i>Please see attached.</i>

Please return this form **no later than 5pm on Friday 28 October 2022 to:**

Waikato District Council, 15 Galileo Street, Private Bag 544, Ngaruawahia 3742, or e-mail: [districtplan@waidc.govt.nz](mailto:districtplan@waidc.govt.nz)

Signed:.....

Date:26 October 2022

(A signature is not required if you make your submission by electronic means).

**PRIVACY ACT NOTE:** Please note that all information provided in your submission will be used to progress the process for this variation, and may be made publicly available.

# Submission by Transpower New Zealand Limited on Variation 3 (September 2022) (Proposed Intensification Planning Instrument) to the Proposed Waikato District Plan (Decisions Version)

## Submission Overview

The following is the submission from Transpower New Zealand Limited (“**Transpower**”) on Variation 3 (“**Variation 3**”) to the Proposed Waikato District Plan – Decisions Version (“**PDP**”), being the Intensification Planning Instrument (“**IPI**”) to:

- Incorporate the Medium Density Residential Standards (the “**MDRS**”) of the Resource Management (Enabling Housing Supply and other Matters) Amendment Act 2021 (“the **RMA**”);
- Give effect to Policies 3 and 4 of the National Policy Statement on Urban Development 2020 (“**NPS-UD**”); and
- Include objectives and policies in accordance with clause 6 to Schedule 3A of the RMA (s77G(5)).

The submission has been prepared to assist the Council in ensuring the planning framework under Variation 3 appropriately recognises and provides for the National Grid. Specifically, from Transpower’s perspective, the provisions of Variation 3 need to ensure that it:

- Gives effect to the National Policy Statement on Electricity Transmission 2008 (“**NPSET**” or “**NPS**”); and
- Recognises the National Grid as a qualifying matter in the implementation of the RMA.

The submission provides specific submission points (refer attached Table 1), with supporting information provided within **Appendix A** comprising an overview of Transpower, an outline of the National Grid assets within the district that are within the areas affected by Variation 3, the policy and rule framework for the National Grid within the proposed district plan, and determination of the National Grid as a qualifying matter. A summary is provided below. Attached as **Appendix B** is a map of existing National Grid assets within Waikato District. **Appendix C** provides an assessment to support the incorporation of the National Grid corridors (being the National Grid Yard and National Grid Subdivision Corridor) as an existing qualifying matter in the IPI. **Appendix D** provides relevant Waikato Regional Policy Statement provisions, and **Appendix E** provides a map of the National Grid assets with the Variation 3 zoning.

By way of summary, Transpower supports the proposed IPI. In particular Transpower supports:

- The identification of the National Grid within the IPI as a qualifying matter; and
- The inclusion of the PDP National Grid corridor provisions within the IPI and ISPP process.

More specifically, Transpower understands that Variation 3 proposes to introduce a new Medium Density Residential Zone 2 (MRZ2) to the existing Medium Density Residential Zone areas within Huntly, Tuakau, Ngāruawāhia and Pōkeno and apply the MDRS within this zone. Within the MRZ2, rules are included which modify the MDRS where qualifying

matters apply. Under the PDP, the National Grid Yard and National Grid Subdivision Corridor do not traverse the current Medium Density Residential Zone, and therefore there are currently no National Grid provisions applying within this zone. Variation 3 proposes to introduce the standards which apply in other zones in relation to the National Grid, within the MRZ2, thus ensuring that they are applied as a qualifying matter within this zone. While the National Grid Yard and National Grid Subdivision Corridor do not traverse the MRZ2, as its extent is proposed in Variation 3, Transpower supports the approach taken by the Council in Variation 3, as this future proofs the provisions, ensuring that should the zone be expanded in future (or through this process), the National Grid provisions are appropriately applied as a qualifying matter.

Transpower also notes that the PDP also includes a General Residential Zone, which would usually be considered as a 'relevant residential zone' in terms of Section 77G of the RMA (in areas that also meet the definition of an "urban environment"), thereby requiring that the MDRS are applied to these areas. However, Variation 3 does not propose to amend this zone; rather, it applies the zone as a qualifying matter (urban fringe) within the Huntly, Tuakau, Ngāruawāhia and Pōkeno townships. Because of this the MDRS standards are not applied within this zone and no changes are proposed to the National Grid provisions applying within this retained zone. Transpower supports the retention of the National Grid provisions within this zone.

Some very limited amendments are sought through this submission to correct references, and to retain references to applicable qualifying matters within the MRZ2, so that these remain clear to plan users in the future.

## Background and Context

### Transpower New Zealand

Transpower is a State-Owned Enterprise that plans, builds, maintains and operates New Zealand's National Grid, the high voltage electricity transmission network for the country. Transpower provides the required infrastructure to transport electricity from the point of generation to local lines distribution companies, which supply electricity to everyday users.

Transpower needs to efficiently maintain and develop the network to meet increasing demand, to connect new generation, and to ensure security of supply, thereby contributing to New Zealand's economic and social aspirations. Transpower therefore has a significant interest in contributing to the process of developing an effective, workable and efficient District Plan where it may affect the National Grid. Specific to intensification, Variation 3 has the potential to significantly impact on the ability for Transpower to operate, maintain, upgrade and develop the existing electricity transmission network.

### Statutory Framework

The National Policy Statement on Electricity Transmission ("**NPSET**") 2008 confirms the national significance of the National Grid and establishes national policy direction to ensure decision-makers under the Resource Management Act ("**RMA**") duly recognise the benefits of transmission, manage the effects of the National Grid and appropriately manage the adverse effects of activities and development close to the Grid.

The one objective of the NPSET is as follows:

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:

- a. Managing the adverse environmental effects of the network; and
- b. Managing the adverse effects of other activities on the network.

Policies 10 and 11 of the NPSET provide the primary direction on the management of adverse effects of subdivision, land use and development activities on the transmission network. These policies are critical matters for a District Plan to address and are of specific relevance to Variation 3.

### National Grid Assets within Waikato District

Attached as **Appendix B** is a map of Transpower’s assets within Waikato District. As shown in Figure 1 (and in **Appendix E**), existing National Grid assets traverse the General Residential Zone, but not the currently proposed extent of the Medium Density Residential Zone 2 (as proposed through Variation 3).

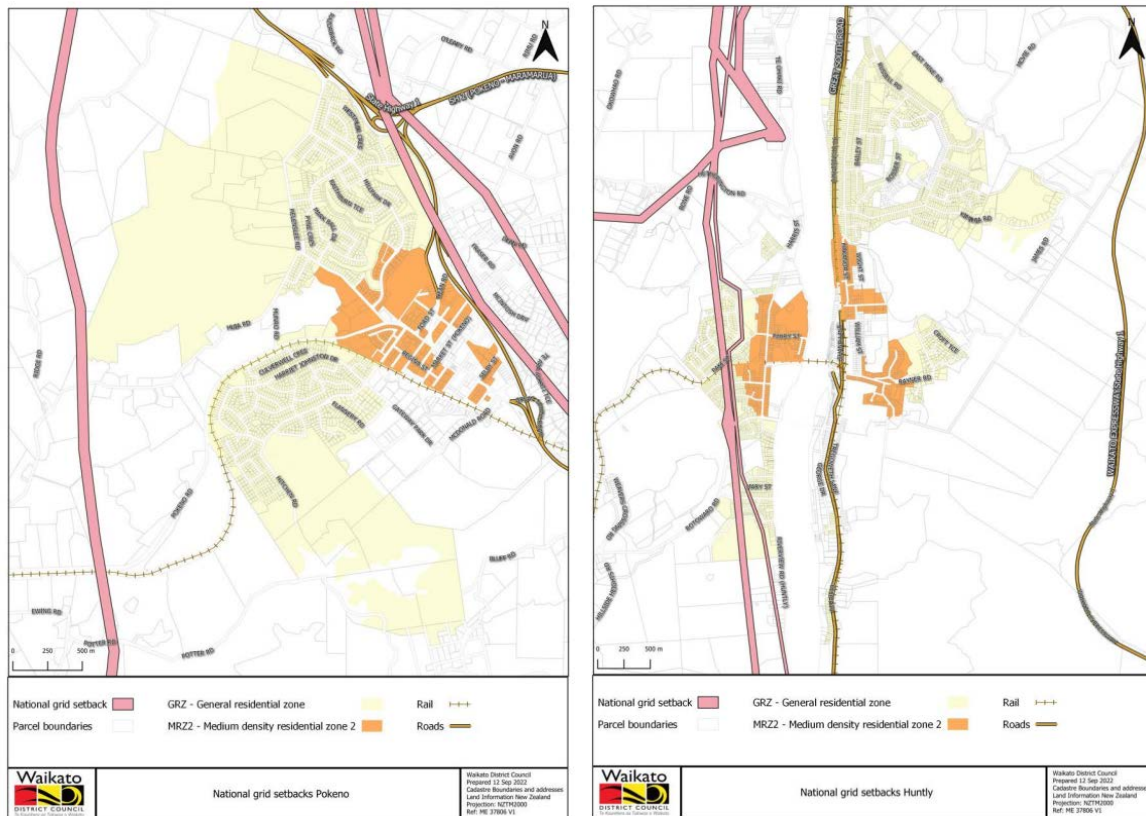


Figure 1. Existing National Grid corridors and Variation 3 Intensification areas in Pokeno and Huntly (taken from Figure 11 in the Section 32 Report – Volume 2, Qualifying Matters prepared for Variation 3 to the Waikato District Plan)

### Specific National Grid Provisions within the Proposed District Plan

The PDP contains a set of provisions relating to land use and subdivision within the defined areas specific to the National Grid high voltage transmission network, and for the purpose of this submission, these are referred to as the “National Grid corridors”.

In summary, the National Grid corridors approach comprises:

- A 10-12 metre wide (as measured either side of the centreline and from the outer edge of support structures) National Grid Yard, within which the establishment of sensitive land use activities (including new buildings and structures, or additions to existing buildings or structures, for a sensitive land use) are non-complying in zones which the National Grid Yard traverses<sup>1</sup>.
- A 14 – 37 metre wide (as measured either side of the centreline) National Grid Subdivision Corridor, within which subdivision requires resource consent as a restricted discretionary activity, provided that it is demonstrated that any allotment is able to accommodate a building platform for the likely principal building(s) and any building(s) for a sensitive land use outside of the National Grid Yard; and that the subdivision layout and earthworks will maintain physical access to any National Grid support structures located on any allotment. Where these standards are not met, subdivision is a non-complying activity.<sup>2</sup>

The above rules are zone-based and are therefore replicated throughout different zones, where the National Grid Yard and/or Subdivision Corridor traverses the zone. As such, there are currently no National Grid Yard or Subdivision Corridor rules applying in the current Medium Density Residential Zone, as the National Grid does not intersect with the current zone boundaries.

### **Variation 3 to the District Plan (September 2022)**

Variation 3 proposes to introduce a new Medium Density Residential Zone 2 to the existing Medium Density Residential Zone areas within Huntly, Tuakau, Ngāruawāhia and Pōkeno and apply the MDRS within this zone. The other existing Medium Density Residential Zone areas (located in Te Kauwhata and Raglan) will be renamed Medium Density Residential Zone 1. Within the MRZ2, rules are included which modify the MDRS where qualifying matters apply. In relation to the National Grid, Variation 3 introduces the National Grid Yard and Subdivision Corridor provisions, within the MRZ2, applying them as a qualifying matter within this Zone.

The PDP also includes a General Residential Zone (GRZ), which would usually be considered as a ‘relevant residential zone’ in terms of Section 77G of the RMA (in areas that also meet the definition of an “urban environment”), thereby requiring that the MDRS are applied to these areas. However, Variation 3 does not propose to amend this zone; rather, it applies the zone as a qualifying matter (urban fringe) within the Huntly, Tuakau, Ngāruawāhia and Pōkeno townships. The GRZ includes National Grid Yard and Subdivision Corridor provisions, and Variation 3 does not propose to amend the zone and accompanying provisions.

### **The National Grid as a Qualifying Matter**

Sections 77I and 77O of the Resource Management (Enabling Housing Supply and other Matters) Amendment Act 2021 (“**the RMA**”) provides a specified territorial authority may make the MDRS and the relevant building height or density requirements under Policy 3

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<sup>1</sup> For example, Rule GRZ-R10 and GRZ-R14 in relation to the General Residential Zone.

<sup>2</sup> For example, Rule SUB-R26 in the General Residential Zone.

less enabling of development in relation to a qualifying matter. A qualifying matter is defined by section 77I and 77O of the RMA.

The National Grid corridor rules framework clearly meets the definition of a qualifying matter as:

- It is a matter required to give effect to the NPSET being a national policy statement (other than the NPS-UD)<sup>3</sup>;
- It is a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure<sup>4</sup>; and
- Provisions that would protect the National Grid from inappropriate subdivision, use and development that would otherwise be permitted by the MDRS are included in the PDP.

Attached as **Appendix C** is an assessment (as required by section 77K(1)) to support the incorporation of the National Grid corridors as an existing qualifying matter in the IPI.

### Specific Submission Points

In addition to the general commentary above and that provided in the attached appendices (which for the avoidance of doubt, forms part of the Transpower submission in that it outlines additional reasoning for the specific relief sought in the following table), Table 1 provides specific submissions points.

Amendments proposed through Variation 3 as notified are shown as black ~~strikethrough~~ and underline text. Amendments sought through this submission are shown as ~~red strikethrough~~ and underline text. For the avoidance of doubt, all the points below include any consequential amendments.

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<sup>3</sup> Resource Management Act 1991, s 77I(b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010

<sup>4</sup> Resource Management Act 1991, s 77I(e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure



Table 1 – Specific Submission points on the Variation 3 IPI  
Provisions to be processed under the ISPP planning process

Specific Part/ Plan Provision	Support/ Oppose/ Amend	Reasoning	Relief Sought
<b>Part 1: Introduction and general provisions</b>			
<b>Interpretation</b>			
<u>Qualifying matters</u>	<p><i>Has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below).</i></p> <div data-bbox="421 501 1240 563" style="border: 1px solid black; padding: 2px;"> <p><i>Means a matter referred to in section 771 or 770 of the Resource Management Act 1991.</i></p> </div>	<p>Amend</p> <p>Transpower supports the inclusion of a definition of ‘qualifying matters’, as it highlights to plan users the existence of the matters.</p> <p>However, given the role and importance of qualifying matters to the implementation of the RMA, and reference to them in the Variation 3 framework, Transpower considers it necessary, and beneficial for future plan users, for the definition to provide a clear list as to what the qualifying matters within this District Plan are. This is particularly important given the provisions which implement the qualifying matters which sit outside the MDRZ2 provisions (e.g. subdivision rules).</p>	<p>Amend definition as follows:</p> <p><i>Has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below).</i></p> <div data-bbox="1778 587 2136 679" style="border: 1px solid black; padding: 2px;"> <p><i>Means a matter referred to in section 771 or 770 of the Resource Management Act 1991.</i></p> </div> <p><u>Qualifying matters include:</u></p> <ul style="list-style-type: none"> <li>(a) <u>The National Grid Yard</u></li> <li>(b) <u>The National Grid Subdivision Corridor</u></li> <li>(c) <u>..... (other qualifying matters to be listed)</u></li> </ul>
<b>Part 2: District-wide matters</b>			
<b>SD-Strategic directions</b>			
<p><u>SD-O14 Well-functioning urban environment.</u>  <i>A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</i></p>	Support	<p>Transpower supports the objective, and in particular the recognition of wellbeing and health and safety. The objective reflects Schedule 3A, Part 1, clause (6)(1)(a) of the RMA.</p>	Retain Objective SD-O14.
<p><u>SD-P2 Medium Density Residential Standards</u></p>	Amend	<p>Transpower supports the policy, noting that it largely reflects</p>	Amend Policy SD-P2 as follows:

Specific Part/ Plan Provision	Support/ Oppose/ Amend	Reasoning	Relief Sought		
<u>Apply the MDRS across all relevant residential zones in the district plan except in circumstances where the qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Maaori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga).</u>		Schedule 3A, Part 1, clause (6)(2)(b) of the RMA. A minor correction is however, suggested.	<u>Apply the MDRS across all relevant residential zones in the district plan except in circumstances where <del>the</del> a qualifying matter is relevant...</u>		
<b>SUB - Subdivision</b>					
<u>SUB-P23 Subdivision in the MRZ2 – Medium density residential zone 2</u> <u>(1) Provide for subdivision that supports the development of medium density residential development as a controlled activity within the MRZ2 – Medium density residential zone 2, except where:</u> <u>(a) There is a relevant qualifying matter; or</u> <u>(b) The proposed subdivision does not comply with the relevant subdivision standards.</u> <u>(2) Require subdivision within the MRZ2 – Medium density residential zone 2 to not compromise any qualifying matters applied to the site.</u>	Support	<p>Transpower supports the clear reference to how qualifying matters affect development in the MRZ2.</p> <p>Transpower also supports the clear direction that subdivision must not compromise any qualifying matters applying to the site. In the case of the National Grid, subdivision provides the framework for future land use, and if poorly configured, can prevent access to the National Grid for maintenance and result in new allotments that cannot be safely built on, thus potentially compromising the effective operation, maintenance and upgrading of the National Grid.</p>	Retain SUB-P23.		
<u><b>SUB-R162</b></u> <u>MRZ2 – Medium density residential zone 2</u>	<u>Subdivision within the National Grid Corridor</u> <u><b>(1) Activity status: RDIS</b></u> <u>Activity specific standards:</u> <u>(a) The subdivision of land in any zone within the National Grid Subdivision Corridor that complies with all of the following standards:</u> <u>(i) All resulting allotments must be able to demonstrate that they are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive land use outside of the National Grid Yard, other than where the allotments are for roads, access ways or infrastructure; and</u>	<u><b>(2) Activity status where compliance not achieved: NC</b></u>	Support	<p>Transpower support the application of the National Grid corridors as a qualifying matter within the provisions applying to the MRZ2.</p> <p>Transpower supports the inclusion of this rule within the subdivision rules applying to the MRZ2, noting that the rule itself replicates, and is</p>	Retain SUB-R162.

Specific Part/ Plan Provision	Support/ Oppose/ Amend	Reasoning	Relief Sought
<p><i>(ii) The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.</i></p> <p><i>Council's discretion is restricted to the following matters:</i></p> <p><i>(a) The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of, including access to, the National Grid;</i></p> <p><i>(b) The ability to provide a complying building platform outside of the National Grid Yard;</i></p> <p><i>(c) The risk of electrical hazards affecting public or individual safety, and the risk of property damage;</i></p> <p><i>(d) The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines, and how such landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid;</i></p> <p><i>(e) The risk to the structural integrity of the National Grid;</i></p> <p><i>(f) The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid asset.</i></p>		therefore consistent with, those applying within other zones.	

### Part 3: Area-specific Matter

#### Residential Zones

##### MRZ2 – Medium density residential zone 2

Rules providing for residential units in the Medium density residential zone 2 as a permitted activity in accordance with the density standards in Schedule 3A of the Act have immediate legal effect under Section 86BA of the Act unless the site is within a qualifying matter area or a new residential zone. A new residential zone means an area that was not shown as a residential zone in the Operative Waikato District Plan. Applicable qualifying matters include the rules set out in the table below:

Matter required to give effect to a national policy statement (s771(b))	National Policy Statement for Electricity Transmission	EW-R2 Earthworks activities within the National Grid Yard	GRZ-R14 New sensitive land use within National Grid Yard
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Support

Transpower supports clear identification at the start of the MRZ2 chapter as to what qualifying matters apply. This provides clarity for Plan users.

While Transpower notes that this part of the chapter is intended to be an explanatory note for the

Retain table outlining qualifying matters, by adding it to the 'Purpose' section of the MRZ2 chapter, with the following (or similar) introductory wording:

*... Co-ordinate delivery of infrastructure and services.*

Specific Part/ Plan Provision				Support/ Oppose/ Amend	Reasoning	Relief Sought
			<p><i>MRZ2-R10 Buildings, structures and sensitive land uses within the National Grid Yard</i></p> <p><i>MRZ2-R10 New sensitive land use within the National Grid Yard</i></p> <p><i>SUB-R26 Subdivision within the National Grid Corridor</i></p> <p><i>SUB-R162 Subdivision within National Grid Corridor</i></p>		<p>purpose of the IPI, (which is to be removed upon completion of the process), Transpower considers that there is merit in the table being retained so that it is clear to plan users in future what qualifying matters have been applied. This can be achieved by adding the table to the end of the 'Purpose' section.</p> <p>Transpower does, however, query why the table includes references to rules within or relating to the GRZ chapter (GRZ-R14 and SUB-R26), given the GRZ does not adopt the MDRS, and is, in itself, a qualifying matter. Further, Transpower notes that the table only identifies the National Grid provisions as being those required under s77(b). However, as noted in the s32 report (page 68 of Section 32 Report – Volume 2) and confirmed within this submission, the National Grid is also a “<i>Matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure</i>” under s77I(e), and this should be included in the table.</p>	<p><i>The following qualifying matters also apply within the zone, which limit development within the areas to which a qualifying matter applies:</i></p> <p><i>[Insert table, but without references to GRZ-R14 and SUB-R26, and noting that MRZ2-R10 and SUB-R162 are also matters required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure.]</i></p>
<p><u>MRZ2-O1 Housing typology.</u>  <u>Provide for a variety of housing types and sizes that respond to:</u>  <u>(a) Housing needs and demand; and</u>  <u>(b) The neighbourhood’s planned urban built character, including three-storey buildings.</u></p>				Support	Transpower supports the objective, noting it reflects Schedule 3A, Part 1, clause (6)(1)(b) of the RMA.	Retain MRZ2-O1.

Specific Part/ Plan Provision	Support/ Oppose/ Amend	Reasoning	Relief Sought
<p><i>MRZ2-O3 Residential amenity.</i>  <i>Achieve a level of residential amenity commensurate with a medium density environment comprised of primarily <u>three-storey buildings, including semi-detached and terraced housing, townhouses and low-rise apartments.</u></i></p>	Support	Transpower generally supports the objective, on the basis that while qualifying matters may limit the density or scale of development possible within certain parts of the zone, this is addressed in Objective MRZ2-O5.	Retain MRZ2-O3.
<p><i>MRZ2-O5 Qualifying matters</i>  <i><u>The capacity to accommodate medium density residential development may be limited to recognise and/or protect one or more qualifying matters.</u></i></p>	Support	Transpower supports explicit recognition at the objective level of the implications that qualifying matters may have on medium density residential development.	Retain MRZ2-O5.
<p><i>MRZ2-O6 Reverse sensitivity.</i>  <i><u>Avoid or minimise the potential for reverse sensitivity by managing the location and design of sensitive activities through:</u></i>  <i><u>(a) The use of building setbacks; and</u></i>  <i><u>(b) The design of subdivisions and development.</u></i></p>	Support	Transpower supports the objective, as it assists in giving effect to Policy 10 of the NPSET.	Retain MRZ2-O6.
<p><i>MRZ2-P1 Housing Typology.</i>  <i><u>Enable a variety of housing typologies with a mix of densities within the zone, including three-storey attached and detached dwellings, and low-rise apartments.</u></i></p>	Support	Transpower generally supports the policy, noting that it reflects Schedule 3A Part 1, clause (6)(2)(a) of the RMA. While existing qualifying matters may limit the amount of permitted development possible on an allotment and therefore directly influence the capacity for intensification and residential development, this is recognised through the inclusion of Policy MRZ2-P6, which is to be read in conjunction with this policy.	Retain MRZ2-P1.
<p><i>MRZ2-P6 Qualifying Matters</i>  <i><u>Restrict residential development to an appropriate level to provide for and protect any relevant qualifying matters.</u></i></p>	Support	Transpower supports the policy, noting that it provides appropriate direction on how qualifying matters affect residential development.	Retain MRZ2-P6.

Specific Part/ Plan Provision		Support/ Oppose/ Amend	Reasoning	Relief Sought
<p><i>MRZ2-P11 Reverse sensitivity. Maintain appropriate setback distances between new sensitive land uses and existing lawfully established activities that may result in reverse sensitivity effects.</i></p>		Support	Transpower supports the objective, as it assists in giving effect to Policy 10 of the NPSET.	Retain MRZ2-P11.
<p><b>MRZ2-R10</b></p>	<p><i>Buildings, structures and sensitive land uses within the National Grid Yard in sites existing as of 18 July 2018</i></p>	Amend	<p>Transpower support the application of the National Grid corridors as a qualifying matter within the provisions applying to the MRZ2.</p> <p>Transpower supports the inclusion of this rule within the land use activities rules applying to the MRZ2, noting that the rule itself replicates, and is therefore consistent with, those applying within other zones.</p> <p>Transpower seek a minor amendment so that clause (b) correctly refers to MRZ2.</p>	<p>Amend MRZ-R10(1)(b) as follows:</p> <p><i>(b) All buildings or structures permitted by Rule <del>GRZ2-R10(1)(a)</del> must:...</i></p>
<p><b>(1) Activity status: PER</b> <b>Activity-specific standards:</b> <b>(a) Within the National Grid Yard:</b> <i>(i) Building alterations and additions to an existing building or structure for a sensitive land use that does not involve an increase in the building height or footprint</i> <i>(ii) New, or additions to existing buildings or structures that are not for a sensitive land use;</i> <i>(iii) Infrastructure (other than for the reticulation and storage of water for irrigation purposes) undertaken by a network utility operator as defined in the Resource Management Act 1991</i> <i>(iv) Fences less than 2.5m in height, measured from the natural ground level immediately below.</i> <b>(b) All buildings or structures permitted by Rule GRZ2-R10(1)(a) must:</b> <i>(i) Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions; and</i> <i>(ii) Locate a minimum of 12m from the outer visible foundation of any National Grid support structure and associated stay wire, unless it is one of the following:</i> <b>(c) A building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP34:2001 ISSN 0114-0663;</b> <i>(d) Fences less than 2.5m in height, measured from the natural ground level immediately below, and located a minimum of 5m from the nearest National Grid support structure foundation;</i> <b>(e) Network utilities (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator as defined in the Resource Management Act 1991, that connects to the National Grid; and</b> <i>(f) Not permanently physically impede existing vehicular access to a National Grid support structure.</i></p>		<p><b>(2) Activity status where compliance not achieved: NC</b></p>		
<p><b>MRZ2-R11</b></p>	<p><i>The establishment of any new sensitive land use within the National Grid Yard</i></p>	Support	Transpower support the application of the National Grid	Retain MRZ2-R11.

Specific Part/ Plan Provision	Support/ Oppose/ Amend	Reasoning	Relief Sought
<p><b>Activity Status: NC</b></p>		<p>corridors as a qualifying matter within the provisions applying to the MRZ2.</p> <p>Transpower supports the inclusion of this rule within the land use activities rules applying to the MRZ2, noting that the rule itself replicates, and is therefore consistent with, those applying within other zones.</p>	
<p><b>Extent of Medium Density Residential Zone 2 &amp; Density within the General Residential Zone</b></p>			
<p>General submission point – extent of MRZ2</p>	<p>Neutral</p>	<p>Transpower is neutral on the proposed extent of the MDRZ2 zone, on the basis that the National Grid provisions are applied within the Zone as a qualifying matter.</p>	<p>If the extent of the MRZ2 changes, continue to apply the National Grid as a qualifying matter to the Zone.</p>
<p>General submission point – General Residential Zone</p>	<p>Neutral</p>	<p>Transpower is neutral on the retention of the GRZ and its application as a qualifying matter. However, should the approach taken to the GRZ change, Transpower seeks to ensure that the National Grid provisions and its status as a qualifying matter continues to apply to the zone.</p>	<p>If the approach taken to the GRZ changes, continue to apply National Grid provisions to development within the Zone.</p>
<p><b>Section 32 Evaluation Report</b></p>			
<p><b>Section 32 Report – Volume 2 Qualifying Matters</b></p>			
<p>Identification of the National Grid as a qualifying matter under:</p> <ul style="list-style-type: none"> <li>- Section 77I(b) of the RMA (a matter required in order to give effect to a national policy statement); and</li> <li>- section 77I(e) of the RMA (a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure).</li> </ul>	<p>Support</p>	<p>Although not forming part of the IPI, Transpower supports the assessment contained within the s32 report in relation to the</p>	<p>N/A</p>



		identification of the National Grid as a qualifying matter.	
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## Appendix A: Supporting information

### Introduction to Transpower

Transpower is a State-Owned Enterprise that plans, builds, maintains and operates New Zealand's National Grid, the high voltage electricity transmission network for the country. The National Grid links electricity generators directly to major industrial users and distribution companies, feeding electricity to the local networks that distribute electricity to homes and businesses. The role of Transpower is shown in Figure 2 below. The National Grid comprises towers, poles, lines, cables substations, a telecommunications network and other ancillary equipment stretching and connecting the length and breadth of the country from Kaikohe in the North Island down to Tiwai in the South Island, with two national control centres (in Hamilton and Wellington).

The National Grid includes approximately 11,000 km of transmission lines and over 170 substations, supported by a telecommunications network of around 300 telecommunication sites, which help link together the components that make up the National Grid.

Transpower's role and function is determined by the State-Owned Enterprises Act 1986, the company's Statement of Corporate Intent, and the regulatory framework within which it operates. Transpower does not generate electricity, nor does it have any retail functions.

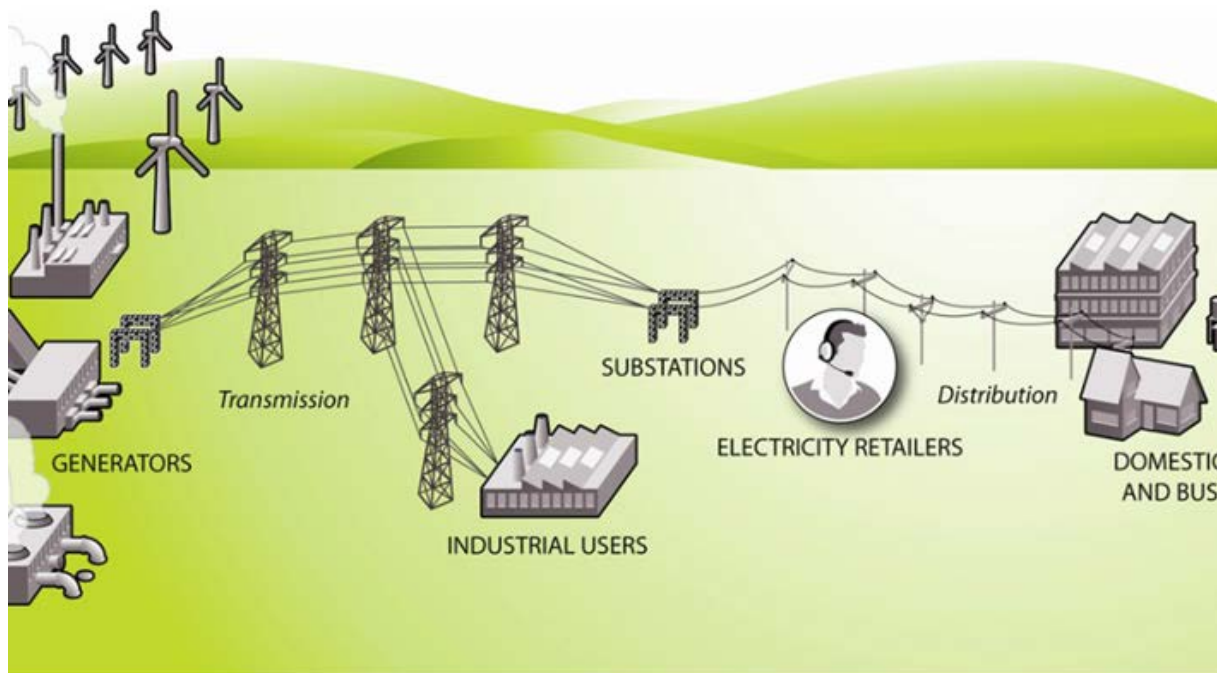


Figure 2. Role of Transpower in New Zealand's Electricity Industry (Source: MBIE)

It is important to note that Transpower's role is distinct from electricity generation, distribution or retail. Transpower provides the required infrastructure to transport electricity from the point of generation to local lines distribution companies, which supply electricity to everyday users. These users may be a considerable distance from the point of generation.

Transpower's role as outlined in its Statement of Corporate Intent for July 2022, states that:

*Transpower is central to the New Zealand electricity industry, connecting New Zealanders to their power system through safe, smart solutions for today and tomorrow. Our principal commercial activities are:*

- As grid owner, to reliably and efficiently transport electricity from generators to distributors and large users, and*
- As system operator, to operate a competitive electricity market and deliver a secure power system.*

In line with the above, Transpower needs to efficiently maintain and develop the network to meet increasing demand, to connect new generation, and to ensure security of supply, thereby contributing to New Zealand's economic and social aspirations. It must be emphasised that the National Grid is an ever-developing system, responding to changing supply and demand patterns, growth, reliability and security needs. As the economy electrifies in pursuit of the most cost efficient and renewable sources, the base case in Transpower's "Whakamana i Te Mauri Hiko" predicts that electricity demand is likely to increase around 55% by 2050. Whakamana i Te Mauri Hiko suggests that meeting this projected demand will require significant and frequent investment in New Zealand's electricity generation portfolio over the coming 30 years, including new sources of resilient and reliable grid connected renewable generation. In addition, new connections and capacity increases will be required across the transmission system to support demand growth driven by the electrification of transport and process heat. Simply put, New Zealand's electricity transmission system is the infrastructure on which New Zealand's zero-carbon future will be built. This work supports Transpower's view that there will be an enduring role for the National Grid in the future, and the need to build new National Grid lines and substations to connect new, renewable generation sources to the electricity network.

Transpower therefore has a significant interest in contributing to the process of developing an effective, workable and efficient District Plan where it may affect the National Grid. Intensification has the potential to significantly impact on the ability for Transpower to operate, maintain, upgrade and develop the existing electricity transmission network.

### **National Grid Assets within Waikato City**

The following National Grid assets are within, or traverse, the Waikato District:

- Huntly – Ōtāhuhu A 220kV transmission line (HLY-OTA A);
- Bombay – Meremere A 110kV transmission line (BOB-MER A);
- Meremere - Takanini A 110kV transmission line (MER-TAK A);
- Brownhill – Whakamaru North A 400 kV transmission line (BHL-WHN A) (Designated);
- Ōtāhuhu – Whakamaru A 220kV transmission line (OTA-WKM A);
- Ōtāhuhu – Whakamaru B 220kV transmission line (OTA-WKM B);
- Ōtāhuhu – Whakamaru C 220kV transmission line (OTA-WKM C);
- Huntly – Taumarunui A 220kV transmission line (HLY-TMN A);
- Hamilton – Meremere A underground 110kV transmission line (HAM-MER A CBL);

- Hamilton – Meremere A 110kV transmission line (HAM-MER A);
- Hamilton – Meremere B 110kV transmission line (HAM-MER B);
- Hamilton – Meremere B underground 110kV transmission line (HAM-MER- B CBL);
- Hamilton Deviation A 220kV transmission line (HAM-DEV A);
- Hamilton - Waihau A 110kV transmission line (HAM-WHU A);
- Huntly Deviation A 220kV transmission line (HLY-DEV A);
- Huntly – Ōtāhuhu A 220kV transmission line (HLY-OTA A);
- Hamilton – Karāpiro A 110kV transmission line (HAM-KPO A);
- Arapuni - Hamilton A 110kV transmission line (ARI-HAM A);
- Arapuni - Hamilton B 110kV transmission line (ARI-HAM B); and
- Te Kowhai Deviation A 220kV line (Designated).

In addition to the transmission lines, Transpower owns and operates the following facilities within the Waikato District, all of which are designated, being

- Western Road Substation and Training Facility;
- Huntly Outdoor Switchyard;
- Meremere Switching Station;
- Te Kowhai Substation; and
- Ōhinewai Switching Station.

Attached as **Appendix B** is a map of Transpower’s assets within Waikato District. Those assets within the intensification areas subject to Variation 3 are shown in Figure 1 above (and in **Appendix E**).

## Statutory Framework

### National Policy Statement on Electricity Transmission

The National Policy Statement on Electricity Transmission (“NPSET”) was gazetted on 13 March 2008. The NPSET confirms the national significance of the National Grid and establishes national policy direction to ensure decision-makers under the Resource Management Act (“RMA”) duly recognise the benefits of transmission, manage the effects of the National Grid and appropriately manage the adverse effects of activities and development close to the Grid. The NPSET only applies to the National Grid – the assets used or operated by Transpower – and not to electricity generation or distribution networks.

The NPSET sets a clear directive to councils on how to provide for National Grid resources (including future activities) when drafting all their plans. Thus, councils have to work through how to make appropriate provision for the National Grid in their district/city plans, in order to give effect to the NPSET.

The one objective of the NPSET is as follows:

*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.*

The NPSET's 14 policies provide for the recognition of the benefits of the National Grid, as well as the environmental effects of transmission and the management of adverse effects on the National Grid. The policies have to be applied by both Transpower and decision-makers under the RMA, as relevant. The development of the National Grid is explicitly recognised in the NPSET.

Policies 10 and 11 of the NPSET provide the primary direction on the management of adverse effects of subdivision, land use and development activities on the transmission network. These policies are critical matters for a District Plan to address, and are specifically relevant to Variation 3. Policy 10 is as follows:

*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.*

Policy 11 relates to the development of buffer corridors, and is as follows:

*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).*

Policy 12 requires the identification of the transmission network on territorial authority planning maps.

Section 75(3)(a) of the RMA requires that district plans must 'give effect' to a National Policy Statement. Case law has established that the words "give effect to" means to implement, which is a strong directive, creating a firm obligation on the part of those subject to it.

## **Regional Policy Statement**

### **Operative Regional Policy Statement**

The Waikato Regional Policy Statement ('RPS') was made operative in 2016. Section 75(3)(c) of the RMA requires that a District Plan must give effect to any Regional Policy Statement (as well as any NPS).

Of relevance to the National Grid are Objectives 3.5 and 3.12 and supporting Policies 6.3 and 6.6. These are attached as **Appendix D**.

Objective 3.5 seeks to ensure that electricity transmission is operated, maintained, developed and upgraded, in a way that (amongst other matters) recognises and provides for the national

significance, and national, regional and local benefits of electricity transmission, as well as recognising the technical and operational constraints of the electricity transmission network.

Objective 3.12 seeks that development of the built environment – which includes residential intensification - occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes. There are various ways listed as to how this occurs, and of relevance to Variation 3, includes “*integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors*” as well as “*recognising and protecting the value and long-term benefits of regionally significant infrastructure*”. It also directs that the potential for reverse sensitivity is minimised.

Policies 6.3 and 6.6 directs that management of the built environment ensures that: the efficient and effective functioning of infrastructure is maintained, and the ability to maintain and upgrade that infrastructure is retained; and that particular regard is given to protecting the effectiveness and efficiency of existing and planned regionally significant infrastructure, the benefits of the development and use of regionally significant infrastructure, (including recognising and providing for the particular benefits of electricity transmission) and the technical and operational requirements of the electricity transmission network.

The implementation methods associated with these policies direct that a corridor management approach is developed which recognises the benefits of the national electricity grid, identifies key transmission corridors in district plans and protects the corridor and electricity transmission network from inappropriate activities, as well as managing the adverse effects (including reverse sensitivity effects) of subdivision, use and development on the operation, maintenance, upgrading and development of the electricity transmission network.

The above objectives, policies and methods provide a clear directive to ensure that development does not compromise the National Grid, and that electricity transmission is appropriately recognised and provided for in plans. Transpower considers that the NPSET is given effect to in the RPS and through the application of the current ODP provisions as a qualifying matter in Variation 3.

## **Proposed District Plan National Grid Provisions**

The PDP includes land use and subdivision rules that regulate activities within a corridor around National Grid transmission lines and National Grid support structures. The National Grid lines are mapped within the PDP. The National Grid lines traverse a range of zones, including General Residential Zone.

Land use is managed within the National Grid Yard, defined as the area 10 - 12 metres either side of the centreline of a transmission line, or edge of any support structure. Within the Yard, the establishment of sensitive land use activities (including new buildings and structures, or additions to existing buildings or structures, for a sensitive land use) are non-complying in zones which the National Grid Yard traverses<sup>5</sup>.

Subdivision is managed within a defined 14 – 37 metre (as measured either side of the centreline) National Grid Subdivision Corridor, within which subdivision (within zones which are traversed by the Subdivision Corridor), require resource consent as a restricted discretionary activity, provided that it is demonstrated that any allotment is able to accommodate a building platform for the likely principal building(s) and any building(s) for a

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<sup>5</sup> For example, Rule GRZ-R10 and GRZ-R14 in relation to the General Residential Zone.

sensitive land use outside of the National Grid Yard; and that the subdivision layout and earthworks will maintain physical access to any National Grid support structures located on any allotment. Where these standards are not met, subdivision is a non-complying activity.<sup>6</sup>

The objective and policy framework supporting the above rule framework includes:

- SD-O7 which seeks to recognise the importance of regionally significant infrastructure;
- SD-O10 which seeks to protect existing activities from reverse sensitivity effects;
- AINF-O4 which seeks that national significance of the National Grid is recognised, and protected and provided for; and
- AINF-P19 which directs the following:
  - (1) *Manage subdivision, use and development to the extent reasonably possible so that the operation, maintenance, upgrading and development of the National Grid is not compromised by ensuring that:*
    - (a) *The National Grid is identified on the planning maps and the National Grid Yard and National Grid Subdivision Corridor establish buffer distances for managing land use development and subdivision near the National Grid;*
    - (b) *Land uses (including sensitive land uses) and structures that may compromise the National Grid, including intensive farming activities, are excluded from establishing within the National Grid Yard;*
    - (c) *Subdivision is managed within the National Grid Subdivision Corridor to avoid subsequent land use from compromising the operation, maintenance, upgrading and development of the National Grid; and*
    - (d) *Changes to existing activities within a National Grid Yard do not further restrict the operation, maintenance, upgrading and development of the National Grid.*

Transpower's appeal to the PDP relates to the above provisions. However the relief sought is confined and is not material to Variation 3, in that the provisions relating to sensitive activities have not been appealed.

## **The National Grid as a Qualifying Matter**

Sections 77I and 77O of the Resource Management (Enabling Housing Supply and other Matters) Amendment Act 2021 ("**the RMA**") provides a specified territorial authority may make the MDRS and the relevant building height or density requirements under Policy 3 less enabling of development in relation to a qualifying matter. A qualifying matter is defined by section 77I and 77O of the RMA.

The National Grid corridors rules framework clearly meets the definition of a qualifying matter as:

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<sup>6</sup> For example, Rule SUB-R26 in the General Residential Zone.

- It is a matter required to give effect to the NPSET being a national policy statement (other than the NPS-UD)<sup>7</sup>;
- It is a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure<sup>8</sup>; and
- Provisions that would protect the National Grid from inappropriate subdivision, use and development that would otherwise be permitted by the MDRS are included in the proposed district plan.

Attached as **Appendix C** is an assessment (as required by section 77J) to support the incorporation of the National Grid corridors as a new qualifying matter in the IPI.

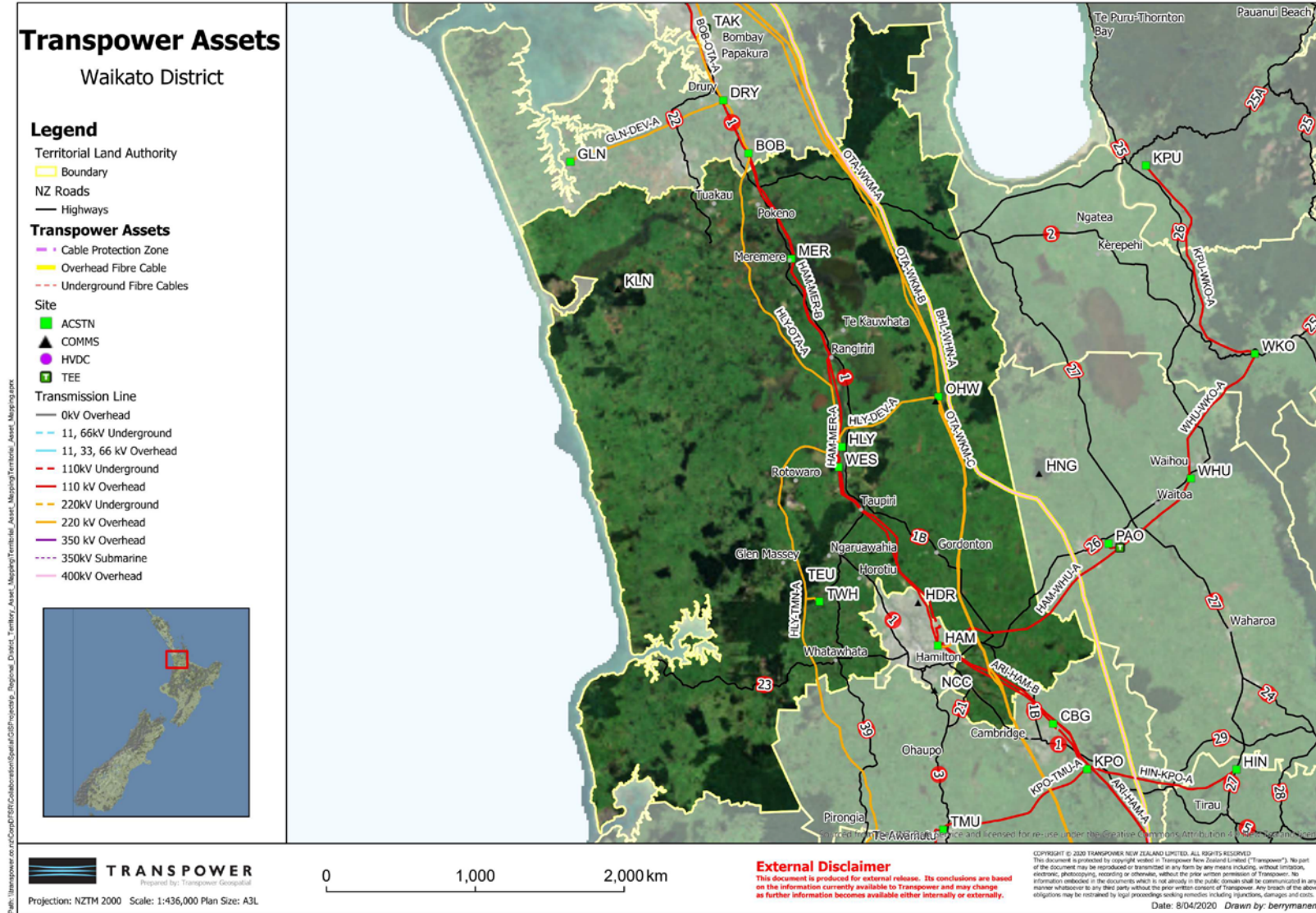
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<sup>7</sup> Resource Management Act 1991, s 77I(b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010

<sup>8</sup> Resource Management Act 1991, s 77I(e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure



## Appendix B: Map of National Grid assets



## Appendix C: Section 77J Assessment

### Process for New Qualifying Matters – Section 77J RMA

(a) Demonstrate why the Council considers that the area is subject to a qualifying matter and why the qualifying matter is incompatible with the level of development permitted by the MDRS or policy 3

The National Grid corridors should be subject to a qualifying matter as they:

- Are a matter required to give effect to the NPSET being a national policy statement (other than the NPS-UD);
- Are a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure; and
- are recognised in the decision version of the PDP and will be incorporated into the PDP when made operative.

#### **Giving effect to the NPSET**

The NPSET confirms the national significance of the National Grid and addresses its effects. Importantly, it also addresses effects on the National Grid including the activities of others (for example residential development) and requires that these do not compromise the operation, maintenance, upgrading and development of the National Grid.

The NPSET mandates a corridor for this protection. Specifically, Policy 11 of the NPSET requires that local authorities consult Transpower to identify an appropriate buffer corridor within which sensitive activities (such as residential development) will generally not be provided for in plans and/or granted resource consent. This outcome is appropriate and was tested through a comprehensive section 32 analysis undertaken by the Ministry for the Environment (when the NPSET was developed) and a Board of Inquiry hearing.

#### **Ensuring the safe or efficient operation of nationally significant infrastructure**

Development under and near high voltage transmission lines presents risks to the safe and efficient operation of the National Grid and needs to be managed carefully. It is critical that any development near the National Grid occurs in an appropriate and safe way. Transpower seeks to ensure that risks such as electrical shocks are minimised to the greatest extent possible, access for vital maintenance and upgrade work is not constrained, and reverse sensitivity and direct effects are managed, so that its nationally significant infrastructure can continue to operate in the long-term, keeping the lights on across New Zealand.

Transpower is not opposed to residential development and understands the intent of the recent reforms to address issues with New Zealand's housing supply and affordability.

Transpower is working with developers and individuals across New Zealand on a daily basis in an effort to accommodate and support new development in a manner which takes the National Grid assets fully into account. If new land uses are properly designed and managed, effects on the safe and efficient operation of the National Grid can be reasonably managed.

Transpower prefers, wherever possible, to manage such risks and effects proactively. Proactive management through appropriate planning rules such as buffer corridors or setbacks is the most effective way of ensuring development occurs in a manner that is compatible with the National Grid, and is consistent with the policy direction in the NPSET and the resulting buffer corridor approach within district plans throughout New Zealand.

While assisting Councils to give effect to the NPSET, the National Grid corridors protect the safe and efficient operation of the National Grid by:

- ensuring that sensitive activities such as residential development will generally not be provided for in close proximity to the lines;
- partially minimising the risk of inadvertent contact with the lines including the risk of flashovers (where an electrical discharge ‘jumps’ the air gap between an object and the line);
- helping to reduce nuisance impacts on landowners and subsequent complaints about the lines;
- partially protecting the lines from activities and development that could have direct or indirect effects on them;
- partially protecting access to the National Grid by ensuring development activities cannot occur close to the National Grid and prevent Transpower’s access to it; and partially enabling efficient and safe operation, maintenance, upgrade and development of the lines.

Based on the above, it is submitted there is no ambiguity as to whether National Grid corridors are qualifying matters. See, for example, the Report of the Environment Committee on the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill dated December 2021, which noted (emphasis added) at page 15: *“the qualifying matters set out in new section 77[1] include a matter of national importance and a matter required to ensure that nationally significant infrastructure operates safely or efficiently and avoid reverse sensitivity concerns. **This could include ensuring residential housing is safely set back from high voltage transmission lines, and other infrastructure such as airport noise areas, in order to avoid reverse sensitivity concerns**”*.

Transpower considers it is not an efficient use of resources for the National Grid corridor provisions to be relitigated as part of Council’s incorporation of the MDRS.

(b) describe the impact on development capacity -and the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3

The costs to the community of limiting development within the National Grid Yard and National Grid Subdivision Corridor is a reduced development yield. However, the amount of reduced yield is confined to the defined corridor width, and which needs to be assessed in context of the risks to the safe and efficient operation at a national and regional scale of the National Grid. However, the broader impacts of limiting development are significant and positive. In particular, the restrictions on development (which is confined to a defined corridor) provide for the safe and efficient operation of the National Grid, the benefits of which accrue beyond this area to the community as a whole.

#### **Development in the National Grid Yard**

The district plan provides for new sensitive activities as a non-complying activity within the National Grid Yard in any zone which the Yard traverses. This means that the level of residential development that would be prevented by the qualifying matter is likely to be all residential development.

While resource consent can technically be applied for, an applicant is unlikely to meet the threshold test in section 104D of the RMA. Residential density will in practice be zero (that is, development would be completely excluded). As explained above, this restriction on development in the National Grid Yard is justified by reference to Policy 10 of the NPSET which requires decision makers *“to 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”* and Policy 11 of the NPSET which requires that local authorities *“consult Transpower to identify an appropriate buffer corridor within which sensitive activities (such as residential development) will generally not be provided”* for in plans and/or given resource consent.

### **Development in the National Grid Subdivision Corridor**

Subdivision has the potential to significantly impact the National Grid. This is because subdivision provides the framework for future land use and, if poorly configured, can prevent access to the National Grid for maintenance and result in new allotments that cannot be safely built on.

As a result, all subdivision within the National Grid Subdivision Corridor requires resource consent. This Subdivision Corridor and the associated provisions enable Transpower to be recognised as an affected party that needs to be notified of, and consulted with on, any application. Once part of the consenting process, Transpower is then able to provide specialist technical and engineering input relating to the safe location of housing, including construction methodology. Transpower has a team dedicated to this task, along with an online enquiry portal (called ‘Pātai’).

The level of development that may be prevented by the National Grid Subdivision Corridor (as a qualifying matter) is therefore difficult to assess in the abstract – a case by case assessment is required to determine whether proposed development can be carried out safely and sufficient access to structures enabled. As explained above, in some areas of the National Grid Subdivision Corridor the MDRS will be appropriate and can be fully enabled (that is, there will be no impact on density at all), but in other areas limits on density will be necessary.

#### [\(c\) Assess the costs and broader impacts of imposing the limits](#)

As outlined above, development under and near high voltage transmission lines presents risks to the safe and efficient operation of the National Grid and needs to be managed carefully. It is critical that any development near the National Grid occurs in an appropriate and safe way. Transpower seeks to ensure that risks such as electrical shocks are minimised to the greatest extent possible, access for vital maintenance and upgrade work is not constrained, and reverse sensitivity and direct effects are managed, so that its nationally significant infrastructure can continue to operate in the long-term, keeping the lights on across New Zealand.

While assisting Councils to give effect to the NPSET, the National Grid corridors protect the safe and efficient operation of the National Grid by:

- ensuring that sensitive activities such as residential development will generally not be provided for in close proximity to the lines;
- partially minimising the risk of inadvertent contact with the lines including the risk of flashovers (where an electrical discharge ‘jumps’ the air gap between an object and the line);

- helping to reduce nuisance impacts on landowners and subsequent complaints about the lines;
- partially protecting the lines from activities and development that could have direct or indirect effects on them;
- partially protecting access to the National Grid by ensuring development activities cannot occur close to the National Grid and prevent Transpower's access to it; and partially enabling efficient and safe operation, maintenance, upgrade and development of the lines.

The costs to the community of limiting development within the National Grid Corridor is a reduced development yield. However, reduction is confined to the defined corridor width needs to be assessed in context of the risks to the safe and efficient operation at a national and regional scale of the National Grid.

## **Appendix D: Relevant provisions from the Waikato Regional Policy Statement 2016**

### **Objective 3.5 Energy**

*Energy use is managed, and electricity generation and transmission is operated, maintained, developed and upgraded, in a way that:*

- a. increases efficiency;*
- b. recognises any increasing demand for energy;*
- c. seeks opportunities to minimise demand for energy;*
- d. recognises and provides for the national significance of electricity transmission and renewable electricity generation activities;*
- e. recognises and provides for the national, regional and local benefits of electricity transmission and renewable electricity generation;*
- f. reduces reliance on fossil fuels over time;*
- g. addresses adverse effects on natural and physical resources;*
- h. recognises the technical and operational constraints of the electricity transmission network and electricity generation activities; and*
- i. recognises the contribution of existing and future electricity transmission and electricity generation activities to regional and national energy needs and security of supply.*

### **Objective 3.12 Built environment**

*Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes, including by:*

- a. promoting positive indigenous biodiversity outcomes;*
- b. preserving and protecting natural character, and protecting outstanding natural features and landscapes from inappropriate subdivision, use, and development;*
- c. integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;*
- d. integrating land use and water planning, including to ensure that sufficient water is available to support future planned growth;*
- e. recognising and protecting the value and long-term benefits of regionally significant infrastructure;*
- f. protecting access to identified significant mineral resources;*
- g. minimising land use conflicts, including minimising potential for reverse sensitivity;*
- h. anticipating and responding to changing land use pressures outside the Waikato region which may impact on the built environment within the region;*
- i. providing for the development, operation, maintenance and upgrading of new and existing electricity transmission and renewable electricity generation activities including small and community scale generation;*
- j. promoting a viable and vibrant central business district in Hamilton city, with a supporting network of sub-regional and town centres; and*
- k. providing for a range of commercial development to support the social and economic wellbeing of the region.*

### **Policy 6.3 Co-ordinating growth and infrastructure**

*Management of the built environment ensures:*

- a. *the nature, timing and sequencing of new development is co-ordinated with the development, funding, implementation and operation of transport and other infrastructure, in order to:*
  - i. *optimise the efficient and affordable provision of both the development and the infrastructure;*
  - ii. *maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;*
  - iii. *protect investment in existing infrastructure; and*
  - iv. *ensure new development does not occur until provision for appropriate infrastructure necessary to service the development is in place;*
- b. *the spatial pattern of land use development, as it is likely to develop over at least a 30-year period, is understood sufficiently to inform reviews of the Regional Land Transport Plan. As a minimum, this will require the development and maintenance of growth strategies where strong population growth is anticipated;*
- c. *the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained; and*
- d. *a co-ordinated and integrated approach across regional and district boundaries and between agencies; and*
- e. *that where new infrastructure is provided by the private sector, it does not compromise the function of existing, or the planned provision of, infrastructure provided by central, regional and local government agencies.*

### **Policy 6.6 Significant infrastructure and energy resources**

*Management of the built environment ensures particular regard is given to:*

- a. *that the effectiveness and efficiency of existing and planned regionally significant infrastructure is protected;*
- b. *the benefits that can be gained from the development and use of regionally significant infrastructure and energy resources, recognising and providing for the particular benefits of renewable electricity generation, electricity transmission, and municipal water supply; and*
- c. *the locational and technical practicalities associated with renewable electricity generation and the technical and operational requirements of the electricity transmission network.*

#### **Implementation Method 6.6.2 Transmission corridor management approach**

*Waikato Regional Council will work with territorial authorities and energy companies and in consultation with other relevant industry organisations, to develop a transmission corridor management approach which:*

- a. *recognises the benefits of the national electricity grid;*
- b. *identifies key transmission corridors in district plans, and:*
  - i. *protects the corridor and electricity transmission network from inappropriate activities (including “sensitive activities”, as defined in the National Policy Statement on Electricity Transmission); and*

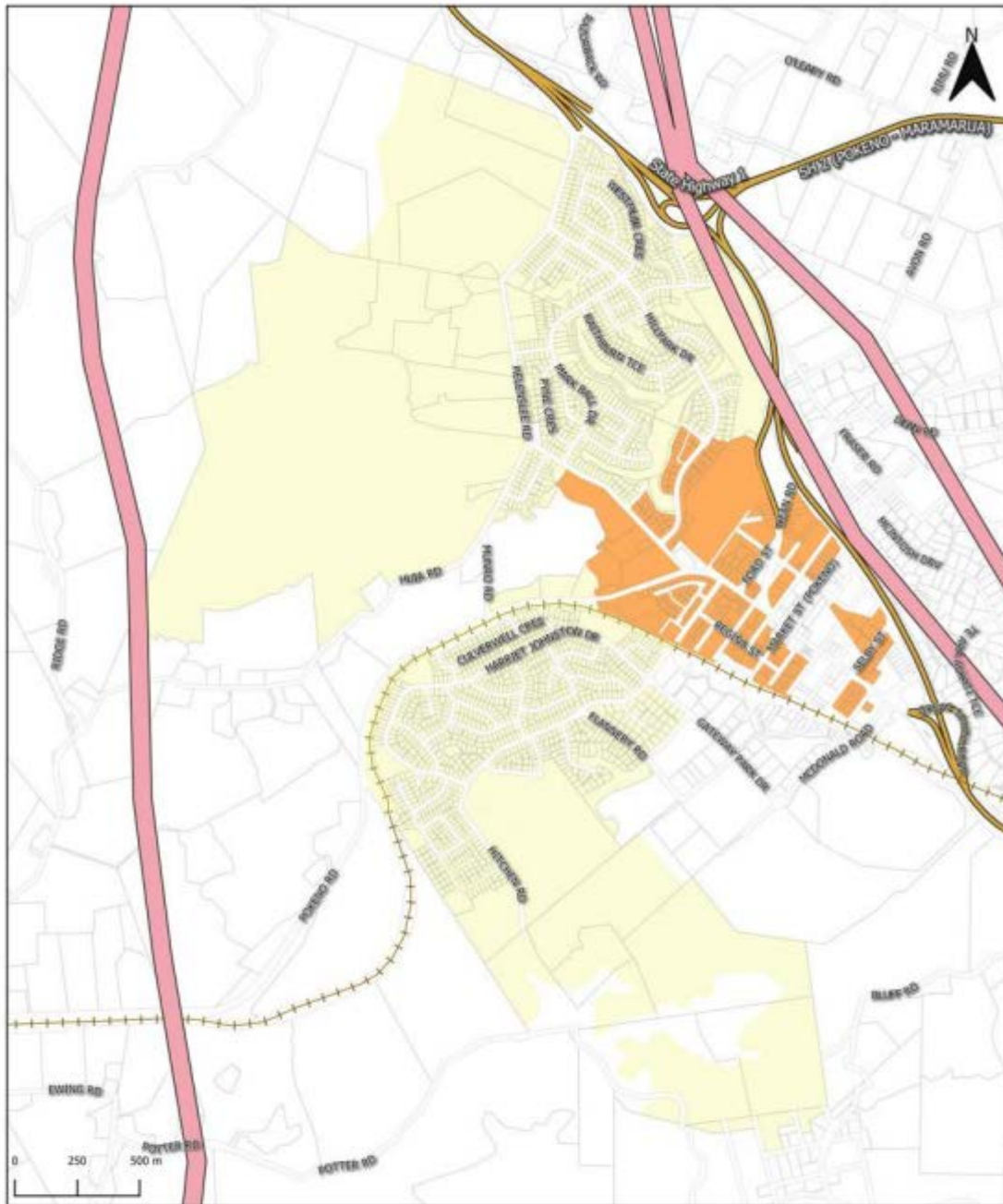
- ii. *manages the adverse effects (including reverse sensitivity effects) of subdivision, use and development on the operation, maintenance, upgrading and development of the electricity transmission network.*
- c. *identifies and addresses potential effects on people and communities and natural and physical resources from new transmission infrastructure;*
- d. *seeks opportunities for alignment with other infrastructure corridors;*
- e. *recognises that energy companies may be affected parties with respect to land use change, including subdivision and development; and*
- f. *seeks to manage the effects of third parties on the safe and efficient operation of the transmission network.*

***Implementation Method 6.6.5 Measures to avoid adverse effects***

*Local authorities should ensure that appropriate measures are implemented to avoid adverse effects of development of the built environment on the safe, efficient and effective operation of regionally significant infrastructure. With respect to electricity transmission corridors, development of the built environment should also take into account National Policy Statements, National Environmental Standards and Transmission Corridor Guidelines as relevant to the circumstances.*



# Appendix E: Variation 3 – Zoning Map as relating to the National Grid

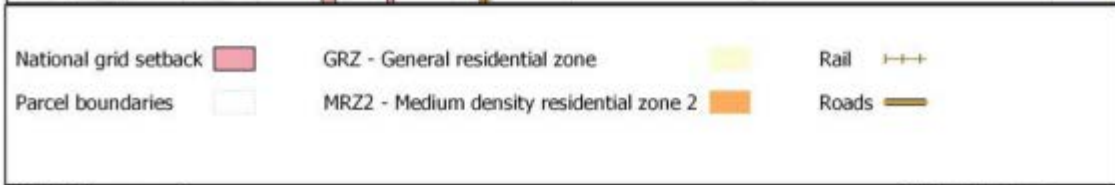


National grid setback		GRZ - General residential zone		Rail	
Parcel boundaries		MRZ2 - Medium density residential zone 2		Roads	



National grid setbacks Pokeno

Waikato District Council  
Prepared 12 Sep 2022  
Cadastre Boundaries and addresses  
Land Information New Zealand  
Projection: NZTM2000  
Ref: ME 37806 V1



National grid setbacks Huntly

Waikato District Council  
Prepared 12 Sep 2022  
Cadastral Boundaries and addresses  
Land Information New Zealand  
Projection: NZTM2000  
Ref: ME 37806 V1