

30 September 2020

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

Dear Sir/Madam

HEARINGS ON THE PROPOSED WAIKATO DISTRICT PLAN

Hearing 24 – Reserves

Submitter Reference: Transpower NZ Ltd S576 and FS1350

Transpower New Zealand Ltd (“Transpower”) writes in relation to Hearing 24 – Reserve Zone commencing on Friday 16 October 2020. We note that this letter is late, and apologise for this error. We would be most grateful if it is able to be tabled for the hearing panel’s consideration, nonetheless.

Given the limited number of submission points of relevance to Transpower within the Hearing 24 s42A report, Transpower is not proposing to adduce evidence to Hearing 24 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 24 – Reserve Zone (Chapters 8 and 25)

In addition to plan wide provisions relating to the ongoing operation, maintenance, development and upgrading of the National Grid, Transpower made one original and four further submission points to be heard at Hearing 24. The officer recommendations are supported as follows:

Recommendations supported

Submission Point 576.22

S42A Report reference: Section 4.8, Policy 8.2.2 Natural Values, paras 95, 98(b)

In its submission Transpower opposed and sought to delete Policy 8.2.2 (Natural Values) on the basis that the matters covered by clauses (a) (i) and (ii) are addressed in Chapter 3 Natural Environment and the requirement for restoring and linking habitats for indigenous species in clause (iii) does not give any recognition of the scale of the habitat or its significance.

The Section 42A Reporting Officer¹ has accepted the Transpower submission in part and recommends that Policy 8.2.2 be retained but that it be amended to address the submission concerns. In relation to clauses (i) and (ii), the reporting officer acknowledges that *“Policy 8.2.2 (a) (i) and (ii) are double-ups with equivalent policies contained within Chapter 3 – Natural Environment. If the wording (or similar wording with the same effect) were to remain within Chapter, 3 then it is my opinion that 8.2.2 (i) and (ii) should be deleted.”* In terms of clause (iii), the reporting officer acknowledges the submission concerns and states that *“in my opinion, the policy could be worded with a bit more flexibility with the inclusion of ‘where appropriate and practicable’, which would allow for recognition of the scale/significance. In addition, this flexibility would give more discretion as to where/if restoration and linking habitats were to occur.”*

Transpower supports the recommendations as the deletion of clauses (i) and (ii) removes unnecessary duplication with policy provisions in Chapter 3 (Natural Environment), and the addition of the words *“where appropriate and practicable”* to the end of clause (iii) allows for recognition of the scale and significance of the habitat in the consideration of where/if restoration and linking of habitats for indigenous species may be required.

Submission Points FS1350.103 and FS1350.104

S42A Report reference: Section 14. Rule 25.2.4.1 – Earthworks, paras 212, 213, 216(c) and (d)

Transpower provided a number of further submission points (including FS1350.103 and FS1350.104) opposing the relief sought by Waikato District Council (697.1025 and 697.1026) to include specific exclusions to the general permitted activity rule’s application (submission 697.1025) and to replicate the National Grid Yard specific rules (in this case in relation to earthworks) from Chapter 14 into Chapter 25 (submission 697.1026). It is not clear if the intent of the Council’s submission was to duplicate or transfer the rules.

The Section 42A Reporting Officer² has accepted the Transpower further submission FS1350.103 in part stating that *“these matters have been addressed within Topic 6 – Village Zone and I agree with the recommendations made by the Hearings report author. Accordingly, it shall not be repeated here, but I highlight that I disagree with the inclusion of 25.2.4.1A, but otherwise agree with the rest of the amendments proposed in [697.1025].”* Transpower notes that the Hearing 6 (Village Zone) s42A report defers a recommendation on the equivalent ‘1A’ rule (Rule 24.2.4.1A) to the hearing to be held on topic 25B (Infrastructure).

Transpower accepts the recommendation to amend the wording of Rule 25.2.5.1 to remove the reference to “25.2.4.1A”, subject to any further related consideration of this matter as part of the hearing on topic 25B (Infrastructure).

The Section 42A Reporting Officer³ has accepted the Transpower further submission FS1350.104 in full but has not relocated the National Grid provisions, rather they comment that *“While I agree that it is easier to find in the context of the individual zone chapter, in my opinion, it is an unnecessary duplication of rules and undermines the purpose of having the entire infrastructure and energy-related rules in one specific chapter. Alternatively, the use of hyperlinking within the final E-Plan product could achieve the same intent that the submission seeks. I note that Transpower submission [FS1350.104] opposes [697.1026] for similar reasons. Ultimately the National Planning Standards may require rearrangement of plan material at a later stage, but that would best proceed having regard to the plan as a whole.”*

Transpower supports the recommendations as it 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.

Submission Points FS1350.121 and FS1350.122

S42A Report reference: Section 18. Rule 25.3.5 – Building setbacks, para 272, 275(c) and (d)

As outlined above, Transpower provided a number of submission points (including FS1350.121 and FS1350.122) opposing the relief sought by Waikato District Council (697.405 and 697.406) to replicate the National Grid Yard specific rules (in this case in relation to building setbacks) from Chapter 14 into Chapter 25.

The Section 42A Reporting Officer⁴ has accepted the Transpower further submissions, and similar to the above comments made in relation to the earthworks rule provisions, states that *“While I agree that it is easier to find*

¹ Section 42A Hearing Report, Reserves Zone, paragraph 95

² Section 42A Hearing Report, Reserves Zone, paragraph 212, 216(c)

³ Section 42A Hearing Report, Reserves Zone, paragraph 213, 216(d)

⁴ Section 42A Hearing Report, Reserves Zone, paragraph 272, 275(c) and (d)

in the context of the individual zone chapter, in my opinion, it is an unnecessary duplication of rules and undermines the purpose of having the entire infrastructure and energy-related rules in one specific chapter. I note that submission Transpower [FS1350.121 and FS1350.122] opposes the original submissions for similar reasons. Alternatively, the use of hyperlinking within the final E-Plan product could achieve the same intent that the submission seeks.”

Transpower supports the recommendations as it 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.

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. Transpower again apologises for the lateness of this letter.

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