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20 June 2024

## **For the Attention of the Hearings Panel, Proposed Waitomo District Plan**

### **Hearing 1 – Hazards and Risks, Subdivision, General District-wide Matters, Area-specific Matters, Appendices and Maps**

Transpower New Zealand Limited (“Transpower”) writes in relation to Proposed Waitomo District Plan (“Waitomo PDP”), and the first tranche of hearings on Hazards and Risks, Subdivision, General District-wide Matters, Area-specific Matters, and specified Appendices and Maps, commencing on 16 July 2024. Within context of these hearing topics, Transpower has submitted on the Hazardous Substances, Subdivision, Coastal Environment, and Earthworks chapters, and a rural production-related definition.

Given the confined nature of Transpower’s interests in the hearing topics, and the favourable nature of the officer recommendations, Transpower does not intend to appear before the panel and provide hearing evidence at this hearing. Rather it respectfully requests that this letter be tabled for the Panel’s consideration, to confirm its position in relation to its submission points and the Section 42A Report recommendations.

Transpower confirms it will prepare evidence and attend at the subsequent hearing tranches where its more substantive submission points will be considered.

The following provides an overview of the topics of relevance to this hearing, and some broader background context on the National Grid.

#### **Topics Relevant to this Hearing: overview**

Specific to this first tranche of hearings, the Subdivision and Earthworks topics are of the greatest relevance to Transpower’s long-term maintenance, operation, and development activities for the National Grid.

Subdivision is the most effective point at which to ensure future reverse sensitivity effects, maintenance access issues, and adverse effects of transmission lines (including amenity issues) between the National Grid and other activities (including sensitive activities) are avoided. This can be achieved by designing subdivision layouts to properly accommodate transmission corridors (including, for example, through the creation of reserves and/or open space where buffer corridors are located).

In relation to Earthworks, Transpower supports the earthworks chapter, in particular EW-P1, EW-P3, and EW-P4, noting Chapters 18 and 19 provide more specific earthworks provisions relating to the National Grid. In its further submission Transpower raised concerns with the relief sought by another submitter to provide a definition for *Ancillary Rural Earthworks*. Transpower raised concerns with the wide range and extensive nature of activities included within the definition with no parameters around the size of scale or depth of the disturbance, and how the definition would be applied to the National Grid Yard specific rule NEG-T-R1 relating to Earthworks, Vertical holes or land disturbance within the National Grid Yard. Transpower supports the recommendation of the reporting officer to not include the sought definition. Should the panel be minded to insert the definition as sought, Transpower requests it be inserted into NEG-T-R1 so that effects on the National Grid Yard are able to be managed.

#### *Submission and Further Submission Points*

Specific to this tranche of hearing topics, Transpower lodged thirteen submission points and four further submission points. A summary of these points is set out below:

1. **S31.11:** Supported the definition for ‘regionally significant infrastructure’, as it provides clarity for plan users, but sought the term be capitalised.
2. **S31.61:** Supported Rule HS-R2 for new significant hazardous facilities on the basis that a specific rule is appropriate, and the non-complying activity status within the National Grid Yard.
3. **S31.65:** Supported SUB-010. While not specific to the National Grid, Transpower supported the objective to avoid or remedy adverse effects on established network utilities and regionally significant infrastructure.
4. **S31.66:** Supported SUB-P3, particularly clause 8, on the basis that it is a National Grid-specific policy.
5. **S31.67 and FS30.22:** Sought amendments to SUB-P31 to better give effect to the National Policy Statement on Electricity Transmission 2008 (NPSET) by having a National Grid-Specific Policy to only allow subdivision where it can be demonstrated the National Grid will not be compromised. Supported separation of the National Grid from the Gas Transmission network given the national policy directive afforded to the National Grid in the NPSET. The further submission opposed Firstgas’s submission on the basis it was inconsistent with Transpower’s primary submission.
6. **S31.68:** Supported SUB-R1.1 to R1.20 but sought subsequent amendments to include cross-reference to a new National Grid-specific rule for subdivision within the National Grid Corridor under S31.69 below, and additional criteria to address matters within new policy (SUB-PX) sought in S31.67.
7. **S31.69:** Opposed SUB-R1 on the basis that the wording is not clear SUB-R1 applies to subdivision within the National Grid Subdivision Corridor, and that the yard and access standards apply. Furthermore, the matters of discretion are not sufficiently directive in relation to the National Grid. Transpower sought a new National Grid-specific rule and restricted discretionary activity status for subdivision within the National Grid Yard, with activity standards relating to sensitive activities being located outside the National Grid Yard, and vehicle access to National Grid assets is maintained. Proposed matters of discretion related to reverse sensitivity effects, maintenance and access issues, and adverse effects of transmission lines. A non-complying activity status was sought where the activity standards could not be met. The further submission opposed Kāinga Ora’s submission on the basis it was inconsistent with Transpower’s primary submission.
8. **S31.70 and FS30.21:** Opposed SUB-R10 on the basis that Transpower sought a stand-

alone National Grid rule and activity status under S31.69. The further submission opposed Kāinga Ora's submission on the basis it was inconsistent with Transpower's primary submission.

9. **S31.71 and FS30.47:** Sought general amendments to the Coastal Environment chapter (CE-P1, CE-P3, CE-P5, CE-P6, CE-P7) to recognise the National Grid and give effect to the NPSET if Chapter 19 and the precedence clause in NU-P22(6) does not prevail over the Coastal Environment chapter. The further submission was neutral on Forest and Bird's original submission point to amend CE-O1 to give effect to the NZCPS, provided amendments also referred to 'inappropriate subdivision, use, and development'.
10. **S31.72:** Supported the Overview section of the Earthworks chapter, particularly the approach to managing earthworks in relation to the National Grid.
11. **S31.73-75:** Supported the Earthworks chapter, in particular EW-P1, EW-P3, and EW-P4, noting Chapters 18 and 19 provide more specific earthworks provisions relating to the National Grid.
12. **FS30.09:** Opposed NZ Pork Industry Board's original submission point that sought to add a definition for 'ancillary rural earthworks' (noting Horticulture NZ also sought a definition for 'ancillary rural earthworks'). Opposed the proposed definition on the basis that the wide range and extensive nature of activities included within the definition (such as airstrips), and how the definition would be applied to the National Grid Yard specific rule NEG-T-R1 relating to Earthworks, vertical holes, or land disturbance within the National Grid Yard. Sought that if the definition was inserted into the Waitomo PDP, that it also be inserted into NEG-T-R1 to ensure that the effects can be managed near National Grid.

### Specific National Grid Policy Framework

The primary basis and reasoning for the National Grid specific provisions in the Waitomo PDP is to recognise the national significance of the National Grid and enable its operation, maintenance, upgrade, and development.

The need to operate, maintain, upgrade, and develop the electricity transmission network is recognised as a matter of national significance through the NPSET. This significance applies universally across the country regardless of the nature of the specific National Grid asset. The NPSET Objective recognises that the network itself potentially gives rise to adverse effects, and that other activities can potentially adversely affect the network. The NPSET policies give direction on how to achieve the objective by providing for the recognition of the benefits of electricity transmission, as well as the management of the environmental effects of electricity transmission and the adverse effects of other activities on the transmission network. As such, the NPSET policies impose obligations on both decision-makers and Transpower itself.

There are three broad aspects to the NPSET which must be given effect to in district plans, as below.

#### *Enabling the National Grid*

Policies and plans must provide for the effective operation, maintenance, upgrading, and development of the National Grid. This includes recognising national benefits. Policy 1 specifies that decision-makers must recognise and provide for the national, regional, and local benefits of sustainable, secure, and efficient electricity transmission. Explicit reference is made to the benefits of security of supply, efficient transfer of energy, and facilitating the use and development of new electricity generation, including renewable generation in the management of the effects of climate change.

In terms of its existing assets, Transpower undertakes a wide range of maintenance activities across its entire asset base. Typical maintenance activities include earthworks, vegetation trimming and clearance, and support structure maintenance activities. Some, but not all, of these activities are regulated under the NESETA. Transpower considers it necessary for the District Plan to adopt an enabling framework through which the benefits of the National Grid can be considered and recognised.

#### *Managing Effects of the National Grid:*

Associated with the development of National Grid assets is the potential for adverse environmental effects. Policies 2 to 9 relate to management of the environmental effects of electricity transmission. In particular, Policy 2 states: *“In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network.”*

Policies 3 to 5 contain matters which decision-makers must consider, including technical and operational constraints, the route, site and method selection process, and operational requirements.

Policy 6 of the NPSET seeks to reduce existing adverse effects where appropriate, while Policies 7 and 8 relate to effects on urban and rural environments respectively. Policy 9 specifically relates to health standards.

Policies 2 to 9 are particularly relevant to the PDP as they provide the policy framework for managing the environmental effects of electricity transmission in recognising and providing for the ongoing operation and development of the National Grid.

The development of the National Grid must therefore be managed to ensure the potential for adverse effects is appropriately managed while recognising the significance of the National Grid and the constraints under which it operates. The NPSET requires the District Plan to include objectives and policies that:

- Allow for the consideration of the technical constraints and operational requirements under which the National Grid operates, for example the linear nature of the transmission lines.
- Have regard to the extent to which adverse effects have been avoided, remedied or mitigated through the route, site and method selection.
- Ensure new planning and development seeks to avoid adverse effects on more sensitive areas.

This policy direction within the NPSET sets an appropriate rule framework for National Grid infrastructure.

Policies, plans and decision makers must take in to account the characteristics of the National Grid, its technical and operational constraints, and the route, site and method selection process when considering the adverse effects of new National Grid infrastructure on the environment.

#### *Managing Effects on the National Grid:*

In addition to the health and safety issues of activities locating within proximity of the National Grid, the National Grid can be affected by other activities that establish beneath or in close proximity to its lines and/or structures. Such activities can generate reverse sensitivity effects where landowners/operators request a Council to impose constraints on existing Transpower infrastructure to manage effects such as noise, reduced visual amenity, radio and television interference, perceived Electric and Magnetic Field ('EMF') effects, or interference with business activities beneath the lines.

The location of buildings and activities, particularly ‘sensitive activities’ such as schools and residential properties, beneath or in close proximity to lines and/or structures can also compromise Transpower’s ability to maintain, upgrade and develop the National Grid. Additionally, the stability of National Grid lines can be affected by earthworks that destabilise support structures resulting in their need to be relocated.

Of particular relevance in terms of the effects of activities on the National Grid are NPSET Policies 10 and 11. These policies act as the primary guide to inform how adverse effects on the National Grid are managed. The policies seek to:

- Avoid sensitive activities near electricity transmission lines and infrastructure;
- Manage other activities to avoid reverse sensitivity effects on the Grid; and
- Manage activities to ensure the operation, maintenance, upgrading and development of the Grid is not compromised.

The most effective and efficient way of managing the potential for adverse effects on the National Grid is to adopt a corridor approach. Transpower’s corridor approach has two components, often referred to as the “National Grid Yard” and the “National Grid Subdivision Corridor”. Adopting the National Grid corridor approach is supported by NPSET Policy 10 and 11. Policy 10 requires that councils to the extent reasonably possible, manage activities to avoid reverse sensitivity effects on the electricity transmission network and ensure that the operation, maintenance, upgrading, and development of the electricity transmission network is not compromised. Policy 11 requires that councils identify an appropriate buffer corridor, within which sensitive activities should generally not be provided for.

#### **S42A Recommendations**

With the exception of submission points 30.11 and 30.71 and further submission points 30.21 and 30.22, Council officers recommended accepting Transpower’s submission and further submission points. Transpower accepts the officer recommendations to accept its relief sought.

To resolve any remaining points of contention, Transpower provides the following comment on the outstanding submission and further submission points:

- In relation to submission point 30.11, Transpower accepts this recommendation. While the relief does not reflect that sought in the Transpower submission, the matter is of a minor nature and Transpower is not pursuing the relief sought.
- In relation to submission point 30.71, Transpower accepts the officer’s recommendation on the basis that the officer’s commentary in the Section 42A report has clarified that specific policy coverage for the National Grid in the Coastal Environment is provided for under NU-P22, which has precedence over the Coastal Environment chapter. The original relief sought to provide for National Grid activities in the Coastal Environment is therefore not required.
- Further submission points 30.21 and 30.22 opposed original submitter’s relief as it was in conflict with Transpower’s relief sought; These further submission points are recommended to be rejected because Transpower’s primary relief sought is recommended to be granted. Transpower accepts these recommendations on the basis that its original relief sought is granted.

#### **Hearing appearance**

As noted above, given the confined nature of Transpower’s interest to the hearing topic, and the nature of the officer recommendations, Transpower does not intend to appear before the panel and

provide hearing evidence. Rather it respectfully requests that this letter be tabled for the Panel's consideration, to confirm its position in relation to its submission points and the Section 42A Report recommendations.

For clarity, Attachment A to this letter outlines the relief sought by Transpower, the S42A response, and Transpower's response and reasoning to the recommendations.

Should the Panel see benefit in Transpower appearing before the Panel in relation to this tabled statement, Transpower can readily make itself available.

Should the Panel require clarification on any matter, please contact Rebecca Eng at Transpower (09 590 7072), or on the following email: [environment.policy@transpower.co.nz](mailto:environment.policy@transpower.co.nz).

Yours faithfully



Rebecca Eng

**Technical Lead – Environmental Policy, Transpower New Zealand Limited**

Sub Ref	Specific plan provision that submission relates to	Support/ Oppose/ Amend	Position and Summary of Submission	Decision Requested	S42A Response	Response to S42A Recommendations
<b>Part 1 – Introduction and General Provisions</b>						
Interpretation						
<b>9. Definitions</b>						
<b>31.11</b>	<b>Definition</b> - regionally significant infrastructure means: (a) pipelines for the distribution or transmission of natural or manufactured gas or petroleum; (b) infrastructure required to permit telecommunication as defined in the Telecommunications Act 2001; (c) radio apparatus as defined in section 2(1) of the Radio Communications Act 1989; (d) the national electricity grid, as defined by the Electricity Industry Act 2010; .....	Support	The provision of a definition is supported in that it provides clarity for plan users.	Retain the definition.  Use capitals for first letter; <b>Regionally Significant Infrastructure (RSI)</b>	<b>Officer recommendation:</b> Reject <b>Reasoning S42A report Rural Production Zone</b> Page 50: None specified.	Accept recommendation. While the relief does not reflect that sought in the Transpower submission, the matter is of a minor nature and Transpower is not pursuing the relief sought.
<b>Part 2 – District Wide Matters</b>						
Hazards and Risks						
<b>22. Hazardous substances</b>						
<b>31.61</b>	<b>HS-R2. New significant hazardous facilities</b> <b>General rural zone, industrial and rural Production zones and Aerodrome precinct (PREC3)</b> <b>Activity Status: DIS</b> <b>Where:</b> 1. The new significant hazardous facility is not located in a hazard area or a coastal hazard area; and 2. The new significant hazardous facility is not located within the National Grid Yard or within 60 m of the gas transmission network; and 3. The new significant hazardous facility must be setback at least 50 m from the edge of any water body as measured from the bankfull channel width (see HS – Figure 1). <b>Activity status where compliance is not achieved: NC</b> <b>All other zones and precincts</b> <b>Activity Status: NC</b> <b>Activity status where compliance is not achieved: N/A</b>	Support	Transpower supports the provision of a specific significant hazardous facility rule and non-complying activity status that applies to such activities within the National Grid Yard.	Retain rule HS-R2.	<b>Officer recommendation:</b> Accept. <b>Reasoning S42A report on Contaminated Land, Hazardous Substances, Amateur Radio, Financial Contributions, Amenity Precinct, Te Maika Precent, Schedules 10, 11, and 13</b> Page 9: None specified.	Accept recommendation on the basis it reflects the relief sought in the Transpower submission
Subdivision						
<b>29. Subdivision</b>						
<b>31.65</b>	<b>Objectives - SUB-010</b>	Support	While not specific to the National Grid, Transpower supports the objective to avoid or remedy adverse effects on established	Retain objective SUB-O10.	<b>Officer recommendation:</b> Accept. <b>Reasoning S42A Report Subdivision</b> Page 33: None specified.	Accept recommendation on the basis it reflects

Sub Ref	Specific plan provision that submission relates to	Support/ Oppose/ Amend	Position and Summary of Submission	Decision Requested	S42A Response	Response to S42A Recommendations
	<i>Subdivision is designed to avoid or mitigate any adverse effects on the operation, maintenance and access to established network utilities and regionally significant infrastructure.</i>		network utilities and regionally significant infrastructure.			the relief sought in the Transpower submission
31.66	<p><b>Policies - SUB-P3</b> Discourage subdivision that would:</p> <ol style="list-style-type: none"> <li>1. Compromise the function, safety or efficiency of the land transport network; and/or</li> <li>2. Result in poorly designed, located or constructed vehicle access points; and/or</li> <li>3. Fail to integrate with and acknowledge the constraints and opportunities of the site and surrounding area; and/or</li> <li>4. Result in reverse sensitivity effects on adjacent sites, adjacent activities or the wider receiving environment; and/or</li> <li>5. Result in reverse sensitivity effects which compromise the operation or expansion of regionally significant industries or regionally significant mineral resources; and/or</li> <li>6. Allow the proliferation of residential rear allotments in the residential or settlement zones; and/or</li> <li>7. Create allotment configurations for residential development which fail to maintain and enhance the character and amenity of the residential zone; and/or</li> <li>8. Compromise the efficient provision of established network utilities and regionally significant infrastructure; and/or</li> <li>9. Constrain the operation of established intensive indoor primary production activities; and/or</li> <li>10. Increase the flow of stormwater runoff onto adjoining properties or flood plains, or reduce storage capacity on-site.</li> </ol>	Support	On the basis of a National Grid specific policy (as sought in the submission point below on SUB-P31), Transpower supports Policy P3, particularly clause 8.	Retain Policy SUB-P3.	<b>Officer recommendation:</b> Accept. <b>Reasoning S42A Report Subdivision</b> Page 36: None specified.	Accept recommendation on the basis it reflects the relief sought in the Transpower submission
31.67	<p><b>Policies - SUB-P31</b> <i>Provide for the National Grid electricity transmission network and the gas transmission network by ensuring subdivision does not compromise its ongoing operation, maintenance and development.</i></p>	Amend	The purpose of the subdivision provisions within the PDP are to manage subdivision in the National Grid Subdivision Corridor to ensure that the long-term maintenance, operation and development of the National Grid is not compromised (Policy 10 of the NPSET). Subdivision is the most effective point at which to ensure future reverse sensitivity effects, maintenance access issues, and adverse effects of transmission lines (including amenity issues) are avoided. This can be achieved by designing subdivision layouts to properly accommodate transmission corridors (including, for example, through	<p>Delete reference to the National Grid from SUB-P31 and create new policy as follows: (shown as red text) <b>SUB-P31</b> <i>Provide for the <del>National Grid electricity transmission network and the gas transmission network</del> by ensuring subdivision does not compromise its ongoing operation, maintenance and development.</i></p> <p>Insert a new National Grid specific subdivision policy as follows: (shown as red text) <b>SUB-PX</b> <i>Manage subdivision within the National Grid Subdivision Corridor to</i></p>	<b>Officer recommendation:</b> Accept. <b>Reasoning S42A report Subdivision</b> Paragraphs 87-89 and page 41: It is agreed that for the purposes of subdivision, the national grid and the gas transmission network can be separated from one another. The new wording is specific to the national grid subdivision corridor and the amendments do not impact the gas transmission network. It is also agreed that subdivision can be the most effective point to address reverse sensitivity effects and that it is important to design subdivision layouts to properly accommodate the transmission corridor. The submitter considers that the reworded policy better gives effect to policy 10 of the National Policy Statement on Electricity Transmission and this is agreed. Further, it is	Accept recommendation on the basis it reflects the relief sought in the Transpower submission



Sub Ref	Specific plan provision that submission relates to	Support/ Oppose/ Amend	Position and Summary of Submission	Decision Requested	S42A Response	Response to S42A Recommendations
			<p>the creation of reserves and/or open space where buffer corridors are located).</p> <p>The width of the National Grid Subdivision Corridor (and the National Grid Yard) are based on the position of the conductors in high wind and normal everyday conditions wind conditions respectively (along with providing space to access National Grid support structures) and are applied as consistent widths throughout the District.</p> <p>Specific to SUB-P31, while Transpower supports the intent of the policy, it submits that it does not adequately give effect to policy 10 of the NPSET in that it is not sufficiently directive. To give effect to the NPSET, Transpower seeks a National Grid specific policy that provides a clear policy directive to protect the National Grid and only allow subdivision where it can be demonstrated the National Grid will not be compromised.</p> <p>Transpower supports separation of the National Grid from the Gas Transmission network given the national policy directive afforded to the National Grid in the NPSET.</p>	<p><u><a href="#">avoid subsequent land use activities from compromising the efficient operation, maintenance, upgrading and development of the National Grid, and avoid the potential for reverse sensitivity effects on the National Grid.</a></u></p>	<p>considered that the proposed policy will have been tested in plans around the country and is likely to afford the best protection to this nationally significant infrastructure. Its adoption is also likely to provide for consistency across plans.</p> <p><b>Further submission FS30.22</b> <b>Officer recommendation: Reject</b> <b>Reasoning S42A report Subdivision</b> Page 42: In its submission Transpower sought significant amendment to SUB-P31, including separation of the activities and a new National Grid specific policy. The relief sought by the submitter is opposed in so far as it is inconsistent with the relief sought in the Transpower submission, noting Transpower has no interest in gas transmission activities or provisions</p>	
31.68	<p><b>Policies - SUB-R1.1 to R1.20, the matters over which discretion is restricted:</b></p> <p>....</p> <p><b>f) Infrastructure provision; and</b> <b>g) Effects on existing infrastructure including the provision of easements where required; and</b> <b>h) Reverse sensitivity effects; and</b> <b>i) Vehicle access point(s) location and formation; and</b> <b>j) Whether the subdivision layout is accessible from and connected to surrounding neighbourhoods; and</b> <b>k) Whether the subdivision results in a use of land that is compatible with predominant character and function of the zone</b></p>	Support	<p>Transpower supports the matters of discretion but submits they are not sufficiently directive for the National Grid. Transpower's preference is for a cross reference to the National Grid specific policy SUB-PX. Should this not be accepted, Transpower seeks additional criteria within the rule to address the matters within SUB-PX and provide sufficient guidance for plan users in determining resource consent applications for subdivision within the National Grid Subdivision Corridor.</p>	<p>Retain SUB-R1.1 to R1.20. Should cross reference to SUB-PX not be provided within the sought National Grid specific rule SUB-RX (sought below), Transpower seeks additional criteria within the rule SUB-R1.1 to R1.20 to address the matters within SUB-PX.</p>	<p><b>Officer recommendation: Accept</b> <b>Reasoning S42A report Subdivision</b> Page 43: None specified.</p>	<p>Accept recommendation on the basis it reflects the relief sought in the Transpower submission</p>
31.69	<p><b>Policies - SUB-R1. Subdivision to create allotments in all zones</b></p>	Oppose	<p>Subdivision within the National Grid Subdivision Corridor is a restricted discretionary activity under the general (default) subdivision rule R1, reverting to a discretionary activity under rule SUB-R10 where the building platform standard (i) cannot be met.</p>	<p>Provide a new rule specific to the National Grid Subdivision Corridor as follows: <b><u><a href="#">SUB-RX</a></u></b> <b><u><a href="#">Subdivision of land to create new allotment(s) within the National Grid Subdivision Corridor</a></u></b></p>	<p><b>Officer recommendation: Accept</b> <b>Reasoning S42A report Subdivision:</b> Paragraphs 90-91, and page 42: It is agreed that a specific national grid rule and restricted discretionary activity status incentivises applicants to design and layout subdivisions in a way that avoids building sites within the national grid yard. Additionally, this approach is</p>	<p>Accept recommendation on the basis it reflects the relief sought in the Transpower submission</p>

Sub Ref	Specific plan provision that submission relates to	Support/ Oppose/ Amend	Position and Summary of Submission	Decision Requested	S42A Response	Response to S42A Recommendations				
			<p>Transpower supports the restricted discretionary rule status but submits the present wording is not clear to plan users in that it would not be apparent Rule 1 applies to subdivision within the National Grid Subdivision Corridor and that the yard and access standards apply. Furthermore, the matters of discretion are not sufficiently directive in relation to the National Grid.</p> <p>Transpower seeks a specific standalone National Grid rule that provides for subdivision within the National Grid Yard as a restricted discretionary activity where a building platform is available outside the National Grid Yard, and vehicle access is not restricted. The activity status defaults to non-complying where the standards are not met. This would eliminate the need for rule SUB-R10 as the default non complying component (where the standards are not met) would be accommodated within the new rule.</p> <p>Specific to reasoning, a specific National Grid rule and restricted discretionary activity status for subdivision provides an appropriate incentive and opportunity to design subdivision layouts that avoid building sites within the National Grid Yard. Subdivision is considered the most effective point at which to ensure future reverse sensitivity effects, maintenance access issues, and adverse effects of transmission lines (including amenity issues) are avoided. This can be achieved by designing subdivision layouts to properly accommodate transmission corridors (including, for example, through the creation of reserves and/or open space where buffer corridors are located). Importantly, it also provides for Transpower input into the subdivision proposal process and provides the ability for council to decline an application. Additionally, the activity classification provides clear guidance for applicants and the Council to ensure the design of</p>	<p><b><u>All zones Activity status: Restricted discretionary</u></b>  <b><u>Where:</u></b></p> <ol style="list-style-type: none"> <li><u>All resulting allotments demonstrate they are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive activity outside of the National Grid Yard, other than where the allotments are for roads, access ways or network utilities; and</u></li> <li><u>Existing vehicle access to National Grid assets is maintained.</u></li> </ol> <p><b><u>Matters over which discretion is restricted:</u></b></p> <ol style="list-style-type: none"> <li><u>The extent to which the design and construction of any subdivision allows for earthworks, buildings and structures to comply within the safe separate distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001.</u></li> <li><u>The ability for continued access to existing National Grid transmission lines for maintenance, inspections and upgrading.</u></li> <li><u>The ability to provide a complying building platform outside of the National Grid Yard.</u></li> <li><u>The extent to which the design and construction of the subdivision allows for activities to be set back from National Grid transmission lines to ensure adverse effects on and from the National Grid Transmission Network and on public safety are appropriately avoided, remedied or mitigated for example, through the location of roads and reserves under the route of the line.</u></li> <li><u>The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid transmission lines, and how such landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid.</u></li> <li><u>The provision for the ongoing efficient operation, maintenance, and planned upgrade of the National Grid transmission lines.</u></li> <li><u>The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity and nuisance effects on the transmission asset.</u></li> <li><u>The outcome of any technical advice provided by Transpower.</u></li> <li><u>The risk of electrical hazards affecting public or individual safety, and the risk of property damage.</u></li> </ol> <p><b><u>Activity status where compliance is not achieved: NC</u></b>  <u>Note: Transpower New Zealand Ltd will be considered an affected person in accordance with section 95B of the RMA where its written approval is not provided.</u>  <u>Note: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</u></p>	<p>consistent with the provisions of WRPS UFD-O1 and P2. On balance it is considered that the amendments are appropriate and protect the operation of regionally and nationally significant infrastructure.</p> <table border="1" data-bbox="2071 464 2594 1031"> <thead> <tr> <th data-bbox="2071 464 2160 485">SUB-RX.</th> <th data-bbox="2160 464 2594 485">Subdivision within the national grid subdivision corridor</th> </tr> </thead> <tbody> <tr> <td data-bbox="2071 485 2160 506">All zones</td> <td data-bbox="2160 485 2594 1031"> <p><b>Activity status: RDIS</b>  <b>Where:</b></p> <ol style="list-style-type: none"> <li>All resulting allotments demonstrate they are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive activity outside of the National Grid Yard, other than where the allotments are for roads, access ways or network utilities; and</li> <li>Existing vehicle access to National Grid assets is maintained.</li> </ol> <p><b>Matters over which discretion is restricted:</b></p> <ol style="list-style-type: none"> <li>The extent to which the design and construction of any subdivision allows for earthworks, buildings and structures to comply within the safe separate distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001.</li> <li>The ability for continued access to existing National Grid transmission lines for maintenance, inspections and upgrading.</li> <li>The ability to provide a complying building platform outside of the National Grid Yard.</li> <li>The extent to which the design and construction of the subdivision allows for activities to be set back from National Grid transmission lines to ensure adverse effects on and from the National Grid Transmission Network and on public safety are appropriately avoided, remedied or mitigated for example, through the location of roads and reserves under the route of the line.</li> <li>The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid transmission lines, and how such landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid.</li> <li>The provision for the ongoing efficient operation, maintenance, and planned upgrade of the National Grid transmission lines.</li> <li>The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity and nuisance effects on the transmission asset.</li> <li>The outcome of any technical advice provided by Transpower.</li> <li>The risk of electrical hazards affecting public or individual safety, and the risk of property damage.</li> </ol> <p><b>Activity status where compliance is not achieved: NC</b>  <u>Note: Transpower New Zealand Ltd will be considered an affected person in accordance with section 95B of the RMA where its written approval is not provided.</u>  <u>Note: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</u></p> </td> </tr> </tbody> </table>	SUB-RX.	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			<p>subdivision manages the effects of the network on the future use of the subdivided land and the effects of that land use on the network. The default non-complying status is supported where the standards cannot be met.</p>	<p><i>for example, through the location of roads and reserves under the route of the line.</i></p> <p><i>(e) The nature and location of any proposed vegetation to be planted in the vicinity of the 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>(f) The provision for the ongoing efficient operation, maintenance, and planned upgrade of the National Grid transmission lines.</i></p> <p><i>(g) The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity and nuisance effects on the transmission asset.</i></p> <p><i>(h) The outcome of any technical advice provided by Transpower.</i></p> <p><i>(i) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.</i></p> <p><b>All zones</b>  <b>Activity status: Non-complying</b>  <b>Where:</b>  <i>(a) Compliance is not achieved with SUB-RX.</i></p> <p><b>Notification:</b>  <ul style="list-style-type: none"> <li><i>• An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</i></li> <li><i>• When deciding whether any person is affected in relation to this rule, for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower New Zealand Limited.</i></li> </ul> </p>		

Sub Ref	Specific plan provision that submission relates to	Support/ Oppose/ Amend	Position and Summary of Submission	Decision Requested	S42A Response	Response to S42A Recommendations																
31.70	<p><b>Rules - SUB-R10 Subdivision within the National Grid Subdivision Corridor or in the vicinity of the gas transmission network – All zones</b>  <i>Activity status: DIS</i>  <i>Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>The subdivision occurs on an allotment which:</i> <ol style="list-style-type: none"> <li>I. <i>Cannot demonstrate that all resulting allotments are capable of accommodating a building platform for any building(s), which is located wholly outside the National Grid Yard; and/or</i></li> <li>II. <i>Cannot demonstrate that all resulting allotments are capable of accommodating a building platform for any building(s), which is located at least 20 m from any gas transmission pipeline or at least 60 m from any above ground structure associated with the gas transmission network.</i></li> </ol> </li> </ol> <p><i>Note: Transpower New Zealand Ltd and/or First Gas Ltd will be considered an affected person in accordance with section 95B of the RMA where its written approval is not provided</i></p>	Oppose	<p>As proposed, subdivision within the National Grid Subdivision Corridor is a restricted discretionary activity under the general subdivision rule R1, reverting to a discretionary activity under rule SUB-R10 where the building platform standard (i) cannot be met.</p> <p>For the reasons outlined in the submission point relating to SUB-R1, Transpower does not support the rule and activity status. Instead, it seeks a standalone National Grid rule that provides for subdivision within the National Grid Yard as a restricted discretionary activity where a building platform is available outside the National Grid Yard, and vehicle access is not restricted. The activity status defaults to non-complying where the standards are not met.</p>	<p>Delete reference to the National Grid from SUB-R10 as follows: (shown as red text) and insert a new rule SUB-RX as outlined in the submission point on rule SUB-R1.</p> <p><b>SUB-R10</b>  <del>Subdivision within the National Grid Subdivision Corridor or in the vicinity of the gas transmission network</del>  <b>Activity status: DIS</b>  <i>Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>The subdivision occurs on an allotment which:</i> <ol style="list-style-type: none"> <li>(j) <del>Cannot demonstrate that all resulting allotments are capable of accommodating a building platform for any building(s), which is located wholly outside the National Grid Yard; and/or</del></li> <li>(ii) <i>Cannot demonstrate that all resulting ..... </i></li> </ol> </li> </ol>	<p><b>Officer recommendation: Accept</b>  <b>Reasoning S42A report Subdivision:</b>  Paragraphs 90-91 and page 50: It is agreed that a specific national grid rule and restricted discretionary activity status incentivises applicants to design and layout subdivisions in a way that avoids building sites within the national grid yard. Additionally, this approach is consistent with the provisions of WRPS UFD-O1 and P2. On balance it is considered that the amendments are appropriate and protect the operation of regionally and nationally significant infrastructure.</p> <table border="1" data-bbox="2065 730 2599 982"> <tr> <td data-bbox="2065 730 2154 772">SUB-R10.</td> <td data-bbox="2154 730 2599 772"><del>Subdivision within the national grid subdivision corridor or in the vicinity of the gas transmission network</del></td> </tr> <tr> <td data-bbox="2065 772 2154 814">All zones</td> <td data-bbox="2154 772 2599 814">Activity status: DIS</td> </tr> <tr> <td data-bbox="2065 814 2154 856"></td> <td data-bbox="2154 814 2599 856">Where:</td> </tr> <tr> <td data-bbox="2065 856 2154 898"></td> <td data-bbox="2154 856 2599 898">1. 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Clear reasoning was provided in the submission. The relief sought by the submitter is opposed in so far as it is inconsistent with the relief sought in the Transpower submission and no supporting reasoning is provided by Kāinga Ora for the relief sought.</p>	SUB-R10.	<del>Subdivision within the national grid subdivision corridor or in the vicinity of the gas transmission network</del>	All zones	Activity status: DIS		Where:		1. The subdivision occurs on an allotment which:		(j) <del>Cannot demonstrate that all resulting allotments are capable of accommodating a building platform for any building(s), which is located wholly outside the National Grid Yard; and/or</del>		(ii) Cannot demonstrate that all resulting allotments are capable of accommodating a building platform for any building(s), which is located at least 20 m from any gas transmission pipeline or at least 60 m from any above ground structure associated with the gas transmission network.		Activity status where compliance is not achieved: N/A		<i>Note: Transpower New Zealand Ltd and/or First Gas Ltd will be considered an affected person in accordance with section 95B of the RMA where its written approval is not provided.</i>	Accept recommendation on the basis it reflects the relief sought in the Transpower submission
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<b>General District-Wide Matters</b>																						
<b>32. Coastal Environment</b>																						
31.71	General Comment on whole Chapter and CE-P1, P3, P5, P6 and P7	Amend	Chapter 19 provides a specific rule and policy framework for network utilities with specific National Grid policies provided (NU-P20 – P22). The National Grid specific policy NU-P22 adopts a seek to avoid approach for the coastal environment (noting that policy NU-P21 does not reference the coastal environment as there	On the basis the specific Chapter 19 National Grid policies prevail, Transpower is neutral on the Chapter 32 policies. However, should the above not be the case, Transpower seeks recognition of the National Grid (and specifically within policies CE-P1, P3, P5, P6 and P7) to give effect to the NPSET.	<b>Officer recommendation: Reject</b> <b>Reasoning S42A report Coastal Environment</b> Paragraphs 65-66: In Waitomo the national grid is located a considerable distance from the coastal environment. However, should Transpower need to locate the national grid in the coastal environment in future, the appropriate place to consider adding to the policy framework is Chapter 18 - National	Accept recommendation on the basis that the officer’s commentary has clarified that specific policy coverage for the National Grid in the Coastal																

Sub Ref	Specific plan provision that submission relates to	Support/ Oppose/ Amend	Position and Summary of Submission	Decision Requested	S42A Response	Response to S42A Recommendations
			<p>are no existing National Grid assets within the coastal environment).</p> <p>While the National Grid is addressed within Chapter 18 National Electricity and Gas Transmission and Chapter 19 Network Utilities, it is noted Infrastructure is referenced within CE-P6.2 and P7.2. Arguably the term 'Infrastructure' applies to the National Grid.</p> <p>Based on the above, and the specific provision of National Grid policies within Chapter 19 which have a seek to avoid approach to the coastal environment and the precedence clause within NU-P22(6), the interpretation of the PDP is that Chapter 19 prevails.</p> <p>On the basis the specific Chapter 19 National Grid policies prevail, Transpower is neutral on the Chapter 32 policies. However, should the above not be the case, Transpower seeks recognition of the National Grid (and specifically within policies CE-P1, P3, P5, P6 and P7) to give effect to the NPSET.</p>		<p>Electricity and Gas Transmission and Chapter 19 - Network Utilities. It is noted that there is specific policy coverage for the national grid in the coastal environment in NU-P22. No amendments are recommended to the coastal environment chapter.</p> <p><b>Further submissions FS30.47</b>  <b>Officer recommendation:</b> Accept  <b>Reasoning S42A report Coastal Environment</b>  Page 14: Transpower is not opposed to amendment to O1 to give effect to the NZCPS Policy 13, however should the objective be amended, seeks amendment to also refer to 'inappropriate subdivision, use and development.</p>	Environment is provided for under NU-P22.
<b>33. Earthworks</b>						
<b>31.72</b>	<p><b>Rules - Overview</b>  <i>In addition to the provisions in this chapter, earthworks are also subject to additional provisions in the natural character, natural features and landscapes, natural hazards and coastal environment chapters. The provisions in these chapters relate to earthworks close to coastal and water body margins, on scheduled sites and features and in hazard areas and coastal hazard areas. Where the earthworks relate to sites and areas of significance to Māori, historic heritage and network utilities, the rules are contained within their relevant chapter.</i></p>	Support	Transpower supports reference that where the earthworks relate to network utilities, the rules are contained within their relevant chapter.	Retain the overview and approach to manage earthworks in relation to the National Grid within the relevant chapter.	<p><b>Officer recommendation:</b> Accept  <b>Reasoning: S42A report Earthworks</b>  Page 9 and 10 and paragraph 28: Transpower New Zealand Limited request that the provisions as notified are retained, specifically the approach in the earthworks chapter to manage earthworks in relation to the national grid. This submission is accepted, and the distinction is proposed to be retained.</p>	Accept recommendation on the basis it reflects the relief sought in the Transpower submission
<b>31.73 - 75</b>	<p><i>General Comment on whole Chapter and EW-P1, P3 and P4</i></p>	Support	<p>Chapter 19 provides a specific rule and policy framework for network utilities with specific National Grid policies provided (NU-P20 – P22). Chapter 19 also contains a specific earthworks policy (EW-P7).</p> <p>Notwithstanding Chapter 19, Transpower is generally supportive of earthwork policies EW-P1, P3 and P4.</p>	Retain policies EW-P1, P3 and P4.	<p><b>Officer recommendation:</b> Accept  <b>Reasoning: S42A report Earthworks</b>  Page 6 (EW-P3 and P4): None specified.  <b>Reasoning S42A report Earthworks</b>  Page 10 and 11 (EW-P1), paragraph 35: None specified.</p>	Accept recommendation on the basis it reflects the relief sought in the Transpower submission

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FS30.09	<i>Submissions from Horticulture New Zealand and NZ Pork Industry Board to insert a definition of 'ancillary rural earthworks'.</i>	Oppose	While Transpower does not specifically oppose a definition for Ancillary Rural Earthworks, it does have concerns with the wide range and extensive nature of activities included within the definition (such as airstrips), and how the definition would be applied to the National Grid Yard specific rule NEG-T-R1 relating to Earthworks, Vertical holes or land disturbance within the National Grid Yard. Should the definition be inserted as sought, it needs to be inserted into NEG-T-R1 to ensure that the effects can be managed near National Grid.	Disallow	<b>Officer recommendation:</b> Accept <b>Reasoning S42A report Earthworks Page 19-21:</b> In relation to the original submission point, as the definition for ancillary rural earthworks is not required, as the earthworks provision are based on volumes, and an additional class of activity is not necessary... The provisions for earthworks are generous in the GRUZ because they are a known and accepted part of this working environment, and the topography of the district necessitates land disturbance for farming activities to operate.	Accept recommendation on the basis it reflects the relief sought in the Transpower's further submission