

## Submission by Transpower New Zealand Limited

### Kāpiti Coast District Plan – Proposed Plan Change 2: Intensification

15 September 2022

*Keeping the energy flowing*



## Form 5

### Submission on notified proposal for policy statement or plan, change or variation

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To** Kāpiti Coast District Council (“the Council”)

**Name of submitter:** Transpower New Zealand Limited (“Transpower”)

**This is a submission on a change proposed to the following operative plan (“the proposal”):**

Proposed Plan Change 2: Intensification (“Proposed Plan Change”) to the operative Kāpiti Coast District Plan (“District Plan”).

**Transpower could not gain an advantage in trade competition through this submission.**

**The specific provisions of the proposal that my submission relates to are:**

The Proposed Plan Change in its entirety, and particularly the extent to which the Proposed Plan Change gives effect to the National Policy Statement on Electricity Transmission 2008 (“NPSET”) and recognises the National Grid as a qualifying matter in the implementation of the Resource Management (Enabling Housing Supply and other Matters) Amendment Act 2021.

**Transpower’s submission is:**

#### Background and context

Transpower is the state-owned enterprise that plans, builds, maintains, owns and operates New Zealand’s high voltage electricity transmission network, known as the National Grid, that carries electricity across the country. Transpower provides the required infrastructure to transport electricity from the point of generation to local electricity distribution companies, which supply electricity to everyday users.

Transpower needs to efficiently operate, maintain, upgrade and develop the National Grid to meet increasing demand; to connect new generation; and to ensure security of supply, thereby contributing to New Zealand’s economic and social aspirations. For this reason, Transpower has a significant interest in the development of an effective, workable and efficient District Plan where it may affect the National Grid. In respect of the Proposed Plan Change, providing for greater residential densities in the vicinity of the National Grid has the potential to significantly impact Transpower’s ability to operate, maintain, upgrade and develop the National Grid.

**Appendix A** includes further background information including an overview of Transpower.

#### Statutory framework

The NPSET confirms the national significance of the National Grid and establishes national policy direction to ensure that decision-makers under the Resource Management Act 1991 (“RMA”) recognise the benefits of electricity transmission, while managing the effects of the National Grid and managing the effects of activities and development in the vicinity of the National Grid.

The single Objective of the NPSET is:

*“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.”*

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. Similarly, the Operative Wellington Regional Policy Statement (“RPS”), along with proposed amendments in Proposed Plan Change 1 to the Wellington Regional Policy Statement (“RPS PC1”) includes policies that direct the protection of regionally significant infrastructure (including through buffer corridors).

Together, these policies are critical matters for a district plan to address and are of specific relevance to Transpower’s submission on the Proposed Plan Change given their clear direction that development does not compromise the National Grid.

The relevant statutory provisions are included in further detail in **Appendix A**.

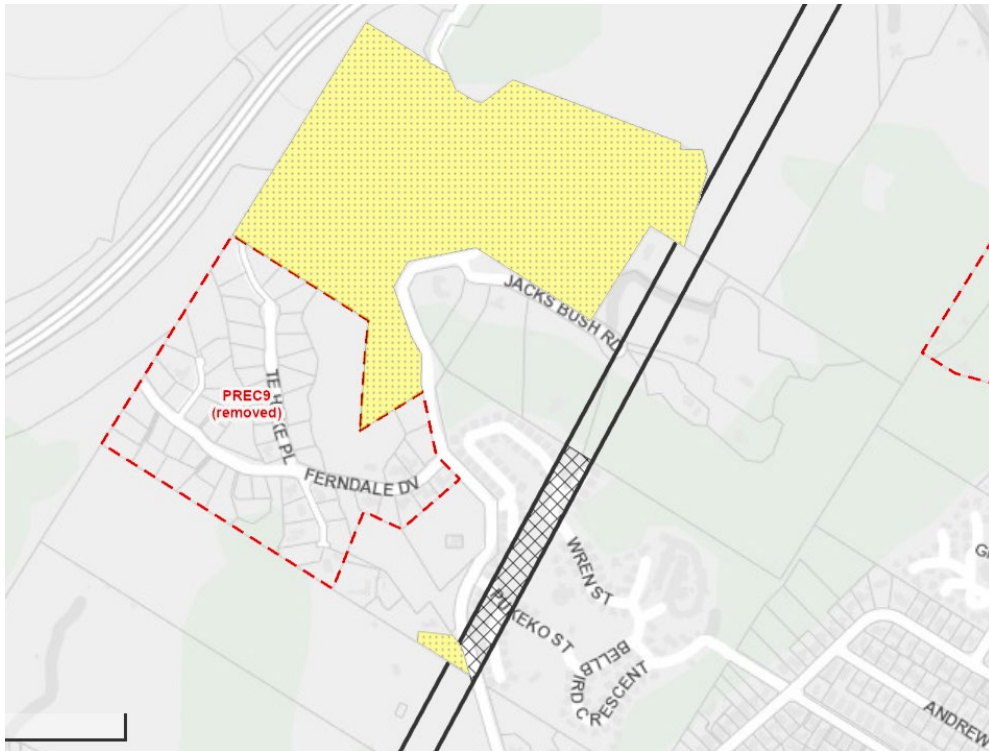
#### National Grid assets in Kāpiti Coast District

**Appendix A** includes a description of the National Grid assets in Kāpiti Coast District. A map of the existing National Grid assets in Kāpiti Coast District is included as **Appendix B**.

Specific to the Proposed Plan Change, existing National Grid assets traverse the General Residential Zone. This zone provides for the Medium Density Residential Standards (“MDRS”) of the Resource Management (Enabling Housing Supply and other Matters) Amendment Act 2021. The Residential Intensification Precincts A and B provide for intensification to give effect to Policies 3 and 4 of the National Policy Statement on Urban Development (“NPS-UD”). There are no National Grid assets within the precincts.

The Proposed Plan Change (as notified) seeks to change the zone of two areas of land at 174 – 211 Ngarara Road and 12 Ngarara Road, Waikanae, which are traversed by National Grid assets, from Future Urban Zone to General Residential Zone. An excerpt of the Proposed Plan Change planning map is included below as Figure 1.

Figure 1: National Grid transmission lines traversing the General Residential Zone



#### Transpower's submission

Transpower acknowledges that the Proposed Plan Change is an Intensification Planning Instrument ("IPI") that is to:

- incorporate the MDRS of the Resource Management (Enabling Housing Supply and other Matters) Amendment Act 2021;
- give effect to Policies 3 and 4 of the NPS-UD; and
- include objectives and policies in accordance with clause 6 to Schedule 3A of the RMA (section 77G5).

Transpower's submission on the Proposed Plan Change generally supports the proposed provisions and particularly supports the identification of the National Grid as a qualifying matter and the inclusion of the National Grid Yard and National Grid Subdivision Corridor provisions in the IPI. That said, Transpower's seeks limited amendments to:

- ensure that the District Plan provisions appropriately reflect the constraints imposed by qualifying matters; and
- alter the boundary of a proposed General Residential Zone at two specific areas so that the Zone is not within the National Grid Yard.

Transpower's specific submission points are included as **Appendix C**.

#### **Transpower seeks the following decision from the local authority:**

Retain or amend the provisions of the Proposed Plan Change to give effect to the NPSET and RPS as set out in **Appendix C** including such further alternative or consequential relief as may be necessary to fully achieve the relief sought in this submission.

**Transpower wishes to be heard in support of its submission.**

Due to the specific interests of Transpower, and particularly the national significance of the National Grid, Transpower will not consider presenting a joint case.

A handwritten signature in black ink, appearing to read 'Daniel Hamilton', with a stylized, cursive script.

**Signature of person authorised to sign  
on behalf of Transpower New Zealand Limited**

**Date:** 15 September 2022

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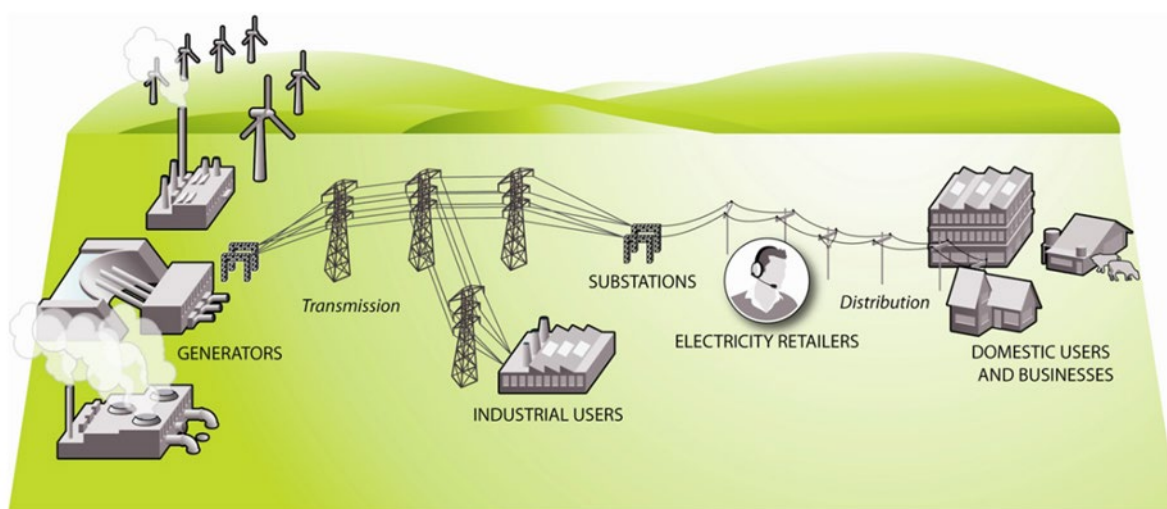
**Contact person:** Daniel Hamilton

## Appendix A: Supporting Information

### About Transpower

Transpower is the state-owned enterprise that plans, builds, maintains, owns and operates New Zealand's high voltage electricity transmission network, known as the National Grid. The National Grid connects power stations, owned by electricity generating companies, directly to major industrial users and distribution companies feeding electricity to the local networks that, in turn, distribute electricity to homes and businesses. The role of Transpower is illustrated in Figure 2.

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



The National Grid stretches over the length and breadth of New Zealand from Kaikohe in the North Island to Tiwai Point in the South Island and comprises some 11,000 kilometres of transmission lines and cables and more than 170 substations, supported by a telecommunications network of some 300 telecommunication sites that 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.

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 Statement of Corporate Intent for 1 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 this role, Transpower needs to efficiently operate, maintain and develop the network to meet increasing demand and to seek 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 the development of an effective, workable and efficient District Plan where it may affect the National Grid. In respect of the Proposed Plan Change, providing for greater residential densities in the vicinity of the National Grid has the potential to significantly impact Transpower’s ability to operate, maintain, upgrade and develop the National Grid.

### **National Grid assets in Kāpiti Coast District**

Transpower owns and operates the following assets in Kāpiti Coast District:

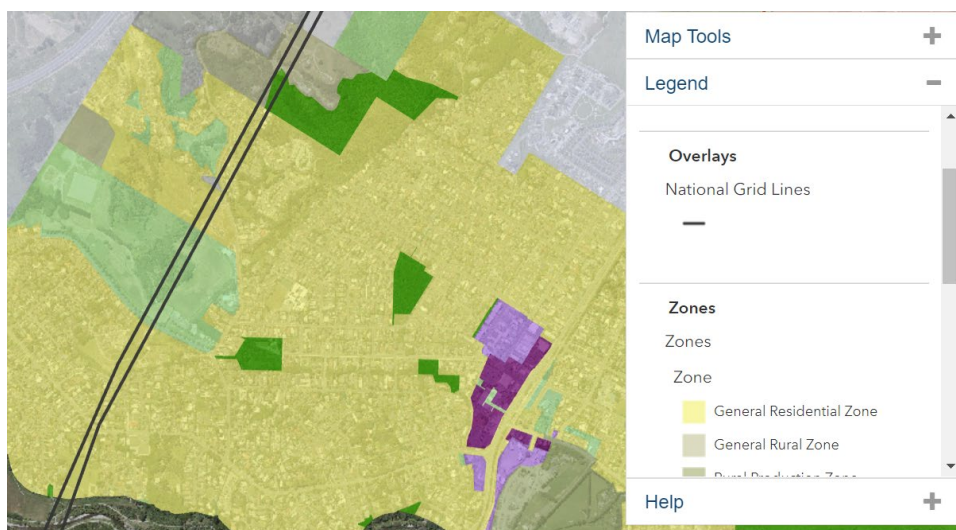
- Bunnythorpe – Wilton A (BPE-WIL-A) 220 kV overhead transmission line on towers;
- Bunnythorpe – Haywards A (BPE-HAY-A) 220 kV overhead transmission line on towers;
- Bunnythorpe – Haywards B (BPE-HAY-B) 220 kV overhead transmission line on towers;
- Paraparaumu Tee A (PRM-TEE-A) on pi poles;
- Paraparaumu Tee B (PRM-TEE-B) on pi poles; and
- Paraparaumu Substation.

The location of these assets is shown on the map included as **Appendix B**.

Existing National Grid assets traverse a number of existing zones, including the General Residential Zone to which the proposed MDRS apply. An example of where the National Grid traverses the General Residential Zone is shown at a broad scale in Figure 3.

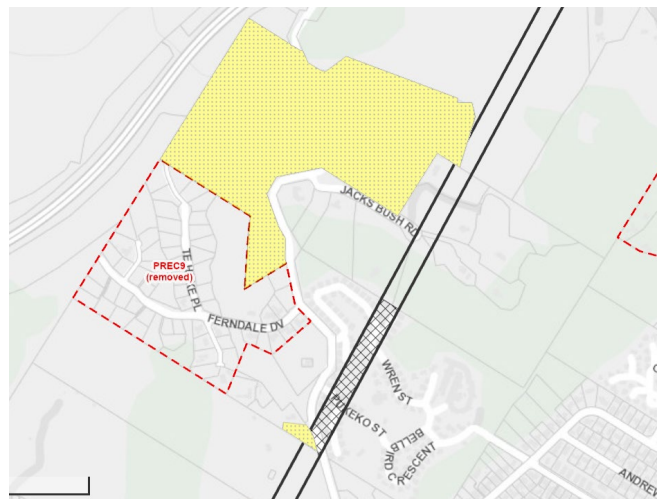


*Figure 3: Existing National Grid assets (black lines) and various District Plan zones (General Residential Zone is shown in yellow).*



In addition, the Proposed Plan Change also seeks to change the zone of two areas of land at 211 Ngarara Road and 112 Ngarara Road, Waikanae that are traversed by the Bunnythorpe to Haywards A and B 220 kV transmission lines, from Future Urban Zone to General Residential Zone. An excerpt of the Proposed Plan Change planning map is included below as Figure 4.

*Figure 4: National Grid transmission lines traversing the proposed new General Residential Zone (yellow, with transmission lines shown as black lines)*



## Statutory Framework

### *National Policy Statement on Electricity Transmission 2008*

The NPSET was gazetted on 13 March 2008. The NPSET confirms the national significance of the National Grid and provides policy direction to ensure that decision makers under the RMA:

- recognise the benefits of the National Grid;
- manage the adverse effects on the environment of the National Grid;



- manage the adverse effects of third parties on the National Grid; and
- facilitate long term strategic planning for transmission assets.

The NPSET only applies to the National Grid, being the assets used or operated by Transpower, and not to electricity generation or distribution networks.

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

The single Objective of the NPSET is:

*“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 the Proposed Plan Change.

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.

## *The Operative Regional Policy Statements*

The Wellington Regional Policy Statement (“RPS”) was made operative in 2013. Section 75(3)(c) of the RMA requires that a District Plan must give effect to any Regional Policy Statement.

Of relevance to the National Grid are Objective 10 and supporting Policies 7, 8 and 39. These are as follows:

### *Objective 10*

*The social, economic, cultural and environmental, benefits of regionally significant infrastructure are recognised and protected.”*

*“Policy 7: Recognising the benefits from renewable energy and regionally significant infrastructure – regional and district plans*

*District and regional plans shall include policies and/or methods that recognise:*

- (a) the social, economic, cultural and environmental benefits of regionally significant infrastructure including:*
  - (i) people and goods can travel to, from and around the region efficiently and safely;*
  - (ii) public health and safety is maintained through the provision of essential services:  
- supply of potable water, the collection and transfer of sewage and stormwater, and the provision of emergency services;*
  - (iii) people have access to energy so as to meet their needs; and*
  - (iv) people have access to telecommunication services.*
- (b) the social, economic, cultural and environmental benefits of energy generated from renewable energy resources including:*
  - (i) security of supply and diversification of our energy sources;*
  - (ii) reducing dependency on imported energy resources; and*
  - (iii) reducing greenhouse gas emissions.”*

*“Policy 8: Protecting regionally significant infrastructure – regional and district plans*

*District and regional plans shall include policies and rules that protect regionally significant infrastructure from incompatible new subdivision, use and development occurring under, over, or adjacent to the infrastructure.”*

*“Policy 39: Recognising the benefits from renewable energy and regionally significant infrastructure – consideration*

*When considering an application for a resource consent, notice of requirement or a change, variation or review of a district or regional plan, particular regard shall be given to:*

- (a) the social, economic, cultural and environmental benefits of energy generated from renewable energy resources and/or regionally significant infrastructure; and*

- (b) *protecting regionally significant infrastructure from incompatible subdivision, use and development occurring under, over, or adjacent to the infrastructure; and*
- (c) *the need for renewable electricity generation facilities to locate where the renewable energy resources exist; and*
- (d) *significant wind and marine renewable energy resources within the region.”*

Objective 10 largely reflects Policy 1 of the NPSET, noting that the NPS requires benefits to be ‘recognised and provided for’ whereas the RPS requires benefits of Regionally significant infrastructure<sup>1</sup> to be ‘recognised and protected’.

Policy 7 directs District Plans include policies and/or methods that recognise the benefits of regionally significant infrastructure. Policy 8 extends this further by requiring that plans include policies and rules to protect such infrastructure from incompatible new subdivision, use and development occurring under, over, or adjacent to it. The explanation to Policy 8 specifically references Policy 11 of the NPSET and states that “*in achieving protection for the transmission network, consultation occurs with the operator of the national grid to identify appropriate buffer corridors*”.

Regard to the benefits and protection of regionally significant infrastructure from “incompatible subdivision, use and development occurring under, over or adjacent to the infrastructure”, is also required to be given under Policy 39 in considering any application for resource consent, notice of requirement or a change, variation or review of any District Plan in the Region.

The above objectives and policies 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.

#### *Proposed Plan Change 1 to the Regional Policy Statement*

Also of relevance is the recently notified RPS PC1 (2022). Section 74(2)(a) directs that a territorial authority must have regard to a proposed RPS when changing a district plan.

RPS PC1 amends the operative RPS and includes changes to take account of new national direction, including the NPS-UD, as well as addressing issues relating to climate change, indigenous biodiversity, and high natural character.

No specific National Grid provisions are proposed. However, Policy 7 and Policy 39 (Recognising the benefits for renewable energy and regionally significant infrastructure) is introduced to a proposed Climate Change chapter.

Changes are proposed to RPS Policy 7 and Policy 39 to give greater recognition of low and zero carbon regionally significant infrastructure, and the benefits of regionally significant infrastructure where it contributes to reducing greenhouse emissions. The National Grid is key in providing for the transmission (and therefore delivery) of renewable energy and achieving a zero-carbon economy. In

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<sup>1</sup> Regionally significant infrastructure includes, by definition, “*the national electricity grid, as defined by the Electricity Governance Rules 2003*”.

effect, New Zealand's electricity transmission system is the infrastructure on which New Zealand's zero-carbon future will be built.

Of specific relevance the Proposed Plan Change, RPS Policy 55 is amended to “provide for appropriate urban expansion” with specific recognition of the protection of regionally significant infrastructure as identified by RPS Policy 8 (which is not proposed to be amended). The identification of the National Grid as a qualifying matter is consistent with the amended policy approach within Policy 55.

#### *Operative District Plan National Grid Provisions*

The Operative District Plan (2021) defines a ‘National Grid Yard’ and ‘National Grid Subdivision Corridor’, with activities within these areas managed by a policy and rule framework. The National Grid transmission lines are shown on the Planning Map. Also shown are ‘National Grid Development Areas’ which feature in the General Residential Zone. It is noted this term is not defined.

Rule INF-MENU-R30 requires that any buildings, structures and activities in the National Grid Yard comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (“NZECP34”) and Rule INF-MENU-R31 provides for a limited range of structures within the National Grid Yard. INF-MENU-R32 is specific to the National Grid Development Area and as with R31 provides for buildings or structures not associated with a sensitive activity. Of particular relevance to the Proposed Plan Change, Rule INF-MENU-R38 lists activities, buildings and structures that are non-complying activities. This includes any buildings that are not otherwise permitted and all sensitive activities (and the buildings that accommodate such activities).

In addition, subdivision within the National Grid Subdivision Corridor is a restricted discretionary activity under Rule SUB-DW-R14 where a building platform outside of the National Grid Yard is identified. Subdivision defaults to non-complying activity status where this standard cannot be met.

This rule framework implements the strong policy direction given by Policy INF-GEN-P2 as follows:

*“Reverse sensitivity effects on infrastructure from subdivision, land use and development will be avoided, as far as reasonably practicable, by ensuring that:*

- 1. Infrastructure corridors are identified and effects upon those corridors from subdivision, land use and development are considered in all resource management decision-making;*
- 2. change to existing activities does not increase their incompatibility with existing Infrastructure;*
- 3. the establishment of, or changes to, sensitive activities are avoided, and incompatible buildings and structures within the National Grid Yard and subdivision within the National Grid Subdivision Corridor are appropriately managed, to ensure that the operation, maintenance, upgrading and development of the National Grid is not compromised;*
- 4. safe separation distances are maintained near gas transmission pipelines and telecommunications facilities;*
- 5. any new planting does not prevent the operation of existing Infrastructure;*

6. *all parties are aware of constraints under other regulations, including the Electricity (Hazards from Trees) Regulations 2003, NZS/AS 2885 Pipelines – Gas and Liquid Petroleum, NZS 5258:2993 Gas Distribution Network, and the New Zealand Code of Practice for Electrical Safe Distances (NZECP 34:2001); and*
7. *suitable standards are in place adjacent to the transport network (including railways)."*

### **The National Grid as a 'qualifying matter'**

Sections 77I and 77O of the RMA provides a specified territorial authority may make the MDRS and the relevant building height or density requirements less enabling of development in relation to a qualifying matter (as defined by section 77I and 77O of the RMA).

The National Grid Yard and National Grid Subdivision Corridor rules framework clearly meets the definition of a qualifying matter because it is a matter required to give effect to the NPSET and it is a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure.

#### *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 given 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 various planning processes including Board of Inquiry hearings.

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

Development under and near 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 Yard and National Grid Subdivision Corridor protects the safe and efficient operation of the National Grid by:

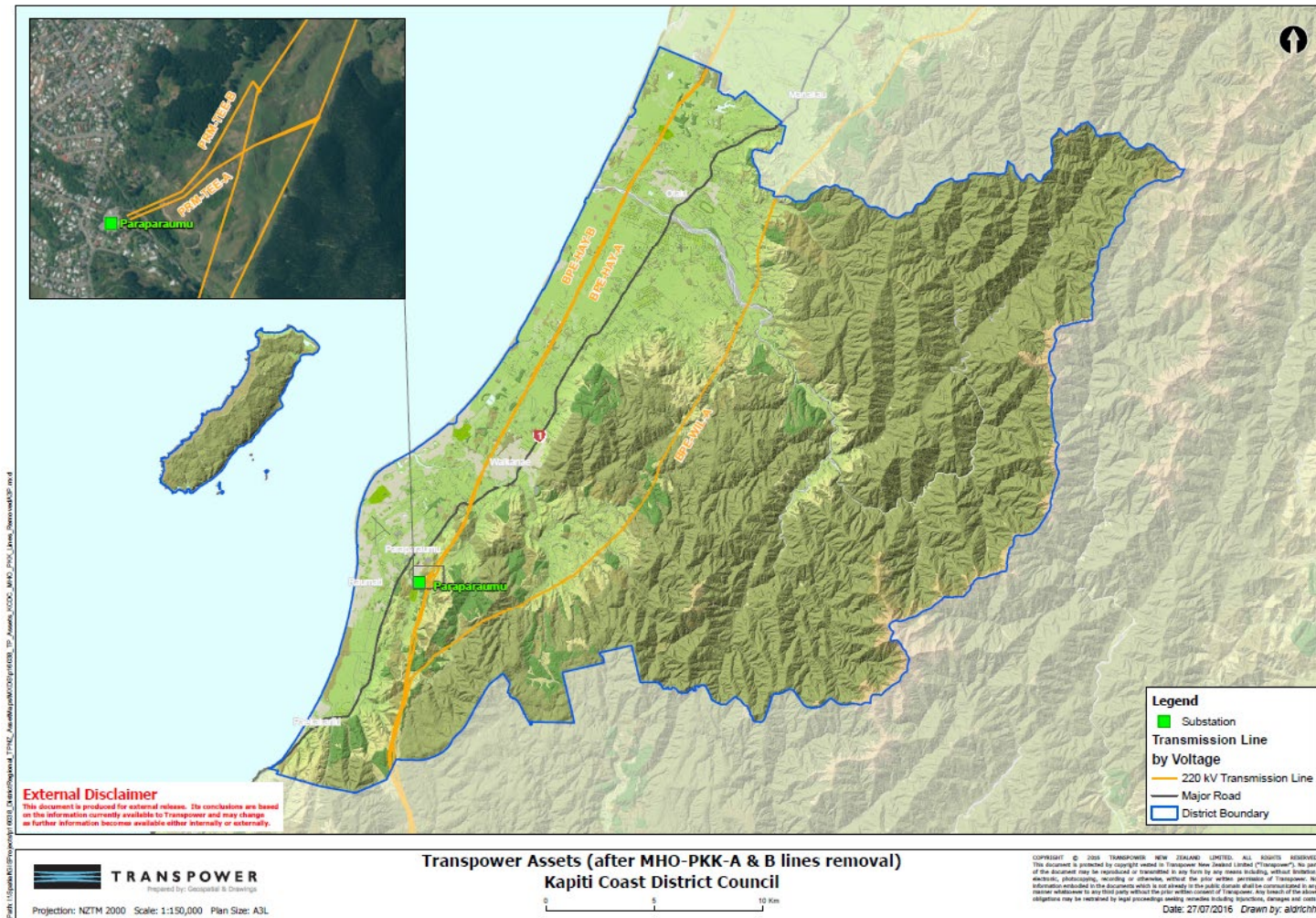
- ensuring that sensitive activities such as residential development will generally not be provided for in close proximity to transmission lines;
- partially minimising the risk of inadvertent contact with transmission lines including the risk of flashovers (where an electrical discharge ‘jumps’ the air gap between an object and the line);
- helping to reduce nuisance impacts on landowners and subsequent complaints about transmission lines;
- partially protecting the transmission 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 transmission lines.

#### *Summary*

Based on the above, and consistent with the Council’s Section 32 Report, it is submitted there is no ambiguity as to whether National Grid Yard and National Grid Subdivision Corridor are an existing qualifying matter. It is noted that the Report of the Environment Committee on the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill dated December 2021, which noted at page 15 [emphasis added]: *“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**”.*



## Appendix B: Map of Transpower Assets in Kāpiti Coast District





## Appendix C: Specific Submission Points on the Kāpiti Coast District Plan – Proposed Plan Change 2: Intensification

The following table sets out the decisions sought by Transpower, including specific amendments to the provisions of the Proposed Plan Change, and the reasons for Transpower's support for, or opposition to, the notified provisions of the Proposed Plan Change. Proposed Plan Change provisions are shown in black underlined and ~~black strikethrough~~ and Transpower's proposed amendments are shown in red underlined and ~~red strikethrough~~

Provision	Support/ Oppose	Submission/Reasons	Decision Sought
<b>Part 1 – Introduction and General Provisions: Interpretation</b>			
<b>Definitions</b>			
20.11 Definition – 'QUALIFYING MATTER AREA' Means any of the following: • The National Grid Yard; • The National Grid Subdivision Corridor;	<b>Support</b>	Transpower supports the definition of 'Qualifying Matter Area' on the basis that the definition includes the National Grid Yard and National Grid Subdivision Corridor and these are qualifying matters because they are matters that are: <ul style="list-style-type: none"> <li>• required to give effect to the NPSET being a national policy statement (other than the NPS-UD); and</li> <li>• required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure.</li> </ul>	<b>Retain</b> the definition of 'Qualifying Matter Area' as notified.
New Definition – 'QUALIFYING MATTER'	<b>Oppose</b>	The concept of Qualifying matters is introduced by the Resource Management (Enabling Housing Supply and other Matters) Amendment Act 2021. Qualifying matters are defined by section 77I and 77O of the RMA.  Given the role and importance of qualifying matter areas to the implementation of the RMA, and in order to support the definition of 'Qualifying Matter Areas' in the District Plan, Transpower seeks that the District Plan also include a definition of 'Qualifying Matter', noting the term is used within proposed policy GRZ-Px2.	<b>Insert</b> a new definition of 'Qualifying Matter' as follows:  <u>"Qualifying matter</u> <u>has the same meaning as in section 2 of the RMA:</u> <u>means a matter referred to in section 77I or 77O</u> <u>The matters referred to in section 77I and 77O are listed below:</u> <u>a. a matter of national importance that decision makers are required to</u> <u>recognise and provide for under section 6:</u> <u>b. a matter required in order to give effect to a national policy statement</u> <u>(other than the NPS-UD) or the New Zealand Coastal Policy Statement</u> <u>2010:</u>

Provision	Support/ Oppose	Submission/Reasons	Decision Sought
			<p><u>c. a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure;</u></p> <p><u>d. open space provided for public use, but only in relation to land that is open space;</u></p> <p><u>e. the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order;</u></p> <p><u>f. a matter necessary to implement, or to ensure consistency with, iwi participation legislation;</u></p> <p><u>g. the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand;</u></p> <p><u>h. any other matter that makes higher density development as provided for by policy 3, as the case requires, inappropriate in an area, but only if section 77R is satisfied/any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied."</u></p>
<b>Part 2 – District-Wide Matters: Strategic Direction</b> <b>District Objectives</b>			
1.2 Objective DO-03 Development Management	<b>Support in part</b>	<p>Transpower generally supports the proposed amendments to Objective DO-03, but seeks limited amendments to reflect the constraints of qualifying matters on the ability to enable more people and businesses to be located in some locations (Qualifying Matter Areas). Transpower proposes an additional sub-clause in clause (3) that better reflects the outcomes sought and direction given in higher order documents, including the NPS-UD and the NPSET.</p>	<p><b>Amend</b> Objective DO-03 as follows:</p> <p><i>"To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas, <del>which</del> and provide for the development of new urban areas where these can be efficiently serviced and integrated with existing townships, delivering:</i></p> <ol style="list-style-type: none"> <li><i>1. urban areas which maximise the efficient end use of energy and integration with infrastructure;</i></li> <li><i>2. a variety of living and working areas in a manner which reinforces the function and vitality of centres;</i></li> <li><i>3. an urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment:</i> <ol style="list-style-type: none"> <li><i>a. that are in or near a Centre Zone or other area with many employment opportunities; or</i></li> <li><i>b. that are well serviced by existing or planned public transport; or</i></li> </ol> </li> </ol>

Provision	Support/ Oppose	Submission/Reasons	Decision Sought
			<p>c. where there is high demand for housing or for business land relative to other areas within the urban environment;</p> <p><u>d. that are not qualifying matter areas:</u></p> <p><del>4. 3.</del> resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;</p> <p><del>5. 4.</del> higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;</p> <p><del>6. 5.</del> management of development in areas of special character or amenity <del>so as to maintain, and where practicable, enhance in a manner that has regard to</del> those special values;</p> <p><del>7. 6.</del> sustainable natural processes including freshwater systems, areas characterised by the productive potential of the land, ecological integrity, identified landscapes and features, and other places of significant natural amenity;</p> <p><del>8. 7.</del> an adequate supply of housing and areas for business/employment to meet the needs of the District's anticipated population which is provided at a rate and in a manner that can be sustained within the finite carrying capacity of the District; <del>and</del></p> <p><del>9. 8.</del> management of the location and effects of potentially incompatible land uses including any interface between such uses; <u>and</u></p> <p><u>10. urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change."</u></p>
1.3 Objective DO-O3 Development Management 'Local Issues'	<b>Support in part</b>	Transpower generally supports the proposed amendments to Objective DO-O3 'Local Issues' explanatory text, but seeks that the proposed text be further amended to more clearly reflect the constraints of qualifying matters on the ability to enable more people and businesses to be located in some places.	<p><b>Amend</b> the 'Local Issues' explanatory text of Objective DO-O3 as follows:</p> <p><b>"Local Issues</b></p> <p>...</p> <p><i>Achieving an urban form that balances the need to meet the many housing needs of the District's residents with the <del>preservation</del> <u>recognition</u> of valued character and the achievement of infrastructure integration efficiencies is an additional, complex challenge. For example, providing for smaller allotment sizes and more dense living environments can affect an area's underlying character; however, when these more intense</i></p>

Provision	Support/ Oppose	Submission/Reasons	Decision Sought
			<p>environments are appropriately located within the wider urban context, they can increase efficiency outcomes of public and private investment in public transport networks, commercial areas, open spaces and other community facilities. The approach to managing these challenges is to:</p> <ul style="list-style-type: none"> <li><del>maintain the predominant low density character that defines the District's many communities, while targeting specific areas for either increased character protection and (conversely) increased residential intensity (indicatively represented in DO Figure 1).</del></li> <li><u>enable more people to live within Kāpiti's existing urban environments, particularly where these are well connected to transport, infrastructure, commercial activities and community services;</u></li> <li><u>recognise that some parts of the urban environment contain <b>qualifying matters, including</b> aspects of valued character, that may be sensitive to <b>increased density or height of development change</b>, and where appropriate include provisions that seek to help manage this change; and provide for selected greenfields development areas in a way that also reinforces overall compact urban form."</u></li> </ul>
1.4 Objective DO-O3 Development Management (other District Plan chapters)	<b>Support in part</b>	For the reasons set out above in relation to Objective DO-O3, Transpower seeks the same amendments in every place that Objective DO-O3 appears in the District Plan.	<b>Amend</b> Objective DO-O3 in every place that it appears in the District Plan as set out above. That is, where the Objective is in the ENG, INF, TR, CL, NH, HH, TREE, SASM, ECO, NFL, SUB-DW, SUB-RES, SUB-WORK, SUB-RUR, SUB-OS, SUB-DEV1, SUB-DEV2, CE, CF, AR, EW, FC, NOISE, SIGN, TEMP, GRZ, GRUZ, RPROZ, RLZ, MUZ, LCZ, TCZ, MCZ, GIZ, NOSZ, OSZ, AIRPZ, FUZ, HOSZ, PREC32, DEV1, DEV2 Chapters.
1.5 Objective DO-Ox1 Well-functioning Urban Environment	<b>Support</b>	Transpower supports Objective DO-Ox1, and in particular the recognition of wellbeing and health and safety. It is noted that this Objective is required to be included by Section 3A.	<b>Retain</b> Objective DO-Ox1 as notified.
1.6 Objective DO-Ox1 Well-functioning Urban Environment (other District Plan chapters)	<b>Support</b>	For the reasons set out above in relation to Objective DO-Ox1, Transpower seeks the same amendments in every place that Objective DO-Ox1 appears in the District Plan.	<b>Retain</b> Objective DO-Ox1 in every place that it appears in the District Plan as set out above. That is, where the Objective is in the SUB-DW, SUB-RES, SUB-WORK, GRZ, LCZ, MUZ, TCZ, MCZ, GIZ, AIRPZ, HOSZ Chapters.

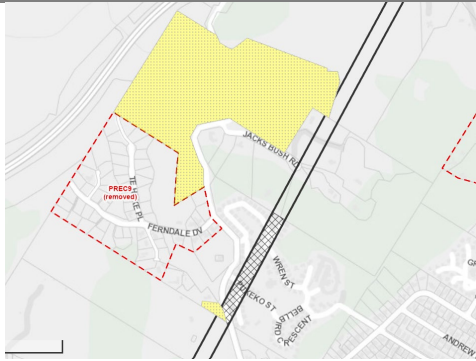
Provision	Support/ Oppose	Submission/Reasons	Decision Sought
<b>Part 2 – District-Wide Matters: Strategic Direction</b> <b>Urban Form and Development</b>			
2.1 UFD-Px Urban Built Form	<b>Support</b>	Transpower supports proposed Policy UFD-Px on the basis that this Policy seeks that inappropriate buildings, activities, heights and densities within qualifying matter areas are avoided. Insofar as the Policy relates to the National Grid, it is considered that the Policy gives effects (in part) to Policies 10 and 11 of the NPSET.	<b>Retain</b> Policy UFD-Px as notified.
2.2 UFD-P1 Growth Management	<b>Support in part</b>	Transpower generally supports the proposed amendments to Policy UFD-P1, but seeks limited amendments to reflect the constraints of qualifying matters on the ability to provide increased housing densities. Transpower proposes an additional sub-clause in clause (3) that better reflects the outcomes sought and direction given in higher order documents, including the NPS-UD and the NPSET.	<b>Amend</b> Policy UFD-P1 as follows: <i>“New urban development for residential activities will only be located within existing urban areas and identified growth areas, and will be undertaken in a manner which:</i> <ol style="list-style-type: none"> <li><i>supports the District’s consolidated urban form;</i></li> <li><i>maintains the integrity of the urban edge north of Waikanae and Ōtaki;</i></li> <li><i>manages residential densities by:</i> <ol style="list-style-type: none"> <li><del><i>enabling medium density housing and focused infill housing in identified precinct areas that are close to centres, public open spaces, and public transport nodes;</i></del></li> <li><del><i>retaining a predominantly low residential density in the Residential Zones;</i></del></li> <li><del><i>avoiding any significant adverse effects of subdivision and development in special character areas identified in GRZ P3;</i></del></li> <li><u><i>providing for a variety of housing types and densities in the General Residential Zone;</i></u></li> <li><u><i>enabling increased housing densities:</i></u> <ol style="list-style-type: none"> <li><u><i>in, and within a walkable catchment of the Metropolitan Centre Zone;</i></u></li> <li><u><i>within a walkable catchment of the train stations at Paekākāriki, Paraparaumu and Waikanae; and</i></u></li> <li><u><i>in and adjacent to the Town Centre Zone and Local Centre Zone;</i></u></li> </ol> </li> <li><del><i>avoiding inappropriate locations, heights and densities in qualifying matter areas.</i></del></li> </ol> </li> </ol>

Provision	Support/ Oppose	Submission/Reasons	Decision Sought
			<p>4. avoids urban expansion that would compromise the distinctiveness of existing settlements and unique character values in the rural environment between and around settlements;</p> <p>5. can be sustained within and makes efficient use of existing capacity of public services and <del>strategic</del> infrastructure, <u>or integrated with the planned capacity of public services and infrastructure</u>; and</p> <p>6. promotes the efficient use of energy and water.”</p>
<b>Part 2 – District-Wide Matters: Energy, Infrastructure and Transport Infrastructure</b>			
21.1 Existing Qualifying Matters Rule INF-MENU-R30	<b>Support</b>	Transpower acknowledges and supports the notification of Rule INF-MENU-R30 in the Proposed Plan Change as an existing qualifying matter in accordance with ss77K(1)(e) and/or 77Q(1)(e) of the RMA.	<b>Retain</b> Rule INF-MENU-R30 as an existing qualifying matter as notified.
21.1 Existing Qualifying Matters Rule INF-MENU-R31	<b>Support</b>	Transpower acknowledges and supports the notification of Rule INF-MENU-R31 in the Proposed Plan Change as an existing qualifying matter in accordance with ss77K(1)(e) and/or 77Q(1)(e) of the RMA.	<b>Retain</b> Rule INF-MENU-R31 as an existing qualifying matter as notified.
21.1 Existing Qualifying Matters Rule INF-MENU-R38	<b>Support</b>	Transpower acknowledges and supports the notification of Rule INF-MENU-R38 in the Proposed Plan Change as an existing qualifying matter in accordance with ss77K(1)(e) and/or 77Q(1)(e) of the RMA. While rule INF-MENU-R32 (National Grid Developed Area) is not included within the IPI as an existing qualifying matter, on the basis residential buildings (sensitive activities) within the National Grid Developed Area are not permitted under the rule, are managed under INF-MENU-R30, and are a non-complying activity under INF-MENU-R38, Transpower supports the IPI as notified in respect of the National Grid specific INF-MENU rules.	<b>Retain</b> Rule INF-MENU-R38 as an existing qualifying matter as notified.
<b>Part 2 – District-Wide Matters: Subdivision District Wide Subdivision Matters</b>			
21.1 Existing Qualifying Matters Rule SUB-DW-R14	<b>Support</b>	Transpower acknowledges and supports the notification of Rule SUB-DW-R14 in the Proposed Plan Change as an existing qualifying matter in accordance with ss77K(1)(e) and/or 77Q(1)(e) of the RMA.	<b>Retain</b> Rule SUB-DW-R14 as an existing qualifying matter as notified.

Provision	Support/ Oppose	Submission/Reasons	Decision Sought
21.1 Existing Qualifying Matters Rule SUB-DW-R22	<b>Support</b>	Transpower acknowledges and supports the notification of Rule SUB-DW-R22 in the Proposed Plan Change as an existing qualifying matter in accordance with ss77K(1)(e) and/or 77Q(1)(e) of the RMA.	<b>Retain</b> Rule SUB-DW-R22 as an existing qualifying matter as notified.
<b>Part 3 – Area Specific Matters- Zones: Residential Zones</b> <b>General Residential Zone</b>			
4.1 General Residential Zone introductory text	<b>Support in part</b>	Transpower generally supports the proposed amendments to the General Residential Zone introductory text but considers that the introduction would benefit from the inclusion of reference to the constraints imposed by qualifying matters, such as the National Grid. Transpower seeks the inclusion of a further clause to address this.	<p><b>Amend</b> the General Residential Zone introductory text as follows:</p> <p><i><u>“The General Residential Zone <del>comprises the majority of</del> contributes to the Residential Zones. Apart from areas where higher densities are anticipated (for example Medium Density Housing and Focused Infill Precinct Areas), the Residential Zone is characterised by development of a well-functioning urban environment by low density detached residential development. Within the General Residential Zone there are distinctive subdivision design and built form elements which are unique to specific neighbourhoods and strongly indicative of the village identities in the District. Within the dominant low density built form there is a capacity for enabling a variety of housing typologies types and sizes that will provide a greater diversity of housing options for the city. The provisions of this zone incorporate the Medium Density Residential Standards (the MDRS) and give effect to Policy 3 of the National Policy Statement on Urban Development 2020 (the NPS-UD).</u></i></p> <p><i><u>A mix of housing densities are provided for throughout the Zone, with higher densities enabled in areas that are well served by public transport or are close to a range of commercial activities and community services. Housing types anticipated in the Zone include detached housing, semi-detached housing, terrace housing, low-rise apartments, and in some areas mid-rise apartments. The development of papakāinga is also provided for within the Zone. The Zone does not promote one form of housing over another but instead provides flexibility to meet the community’s diverse housing needs, while recognising that there are parts of the Zone where the permitted development height and density may be modified or limited by qualifying matters.</u></i></p> <p><i><u>It is anticipated that the form, appearance and amenity of neighbourhoods within the Zone will change over time. Design guidelines help manage this change by promoting a high standard of urban design</u></i></p>



Provision	Support/ Oppose	Submission/Reasons	Decision Sought
			<i><u>and encouraging new development to contribute positively to the changing character of the Zone. ...</u></i>
4.3 Five new policies GRZ-Px1 Medium Density Residential Standards Policy 1	<b>Support in part</b>	Within the Medium Density Residential Activity Area, qualifying matter areas may limit the amount of permitted medium density development possible on an allotment. While the policy directive within Policy GRZ-Px1 is supported (and reflects Schedule 3A, Part 1, clause (6)(2)(a) of the RMA), Transpower supports reference to qualifying matter areas as they directly influence the capacity for intensification and residential development.	<b>Amend</b> Policy GRZ-Px1 as follows: <i>“Enable a variety of housing typologies with a mix of densities within the Zone, including 3-storey attached and detached dwellings, and low-rise apartments, <u>while avoiding inappropriate locations, heights and densities of buildings and development within qualifying matter areas as specified by the relevant qualifying area provisions.</u>”</i>
4.3 Five new policies GRZ-Px2 Medium Density Residential Standards Policy 2	<b>Support</b>	Transpower supports GRZ-Px2 (noting it reflects that required under Schedule 3A Part 1(6)(2) of the RMA) on the basis that it recognises qualifying matters.	<b>Retain</b> Policy GRZ-Px2 as notified.
<b>Section 32 Report – General</b>			
Section 32 Report: General	<b>Support in part</b>	Transpower acknowledges that the Section 32 Report identifies the NPSET as being relevant to the Proposed Plan Change because the National Grid passes through areas that are subject to the application of the IPI and policy 3 of the NPSUD. That said, the Section 32 Report fails to identify Policy 11 as being a relevant consideration, where as (as noted earlier) Policy 11 is a critical higher order provision that is directly relevant to the Proposed Plan Change.  That said, Transpower generally supports the Section 32 Report, and particularly notes the identification of the National Grid as an existing qualifying matter. Transpower supports the evaluation provided under s77K and 77Q as provided in Appendix D to the Section 32.	
<b>Planning Map</b>			
19.1 and Appendix D: Areas proposed to be rezoned as General Residential Zone	<b>Oppose</b>	The Proposed Plan Change seeks to amend the Zone of two area of land that are traversed by the National Grid from Future Urban to General Residential Zone (shown on the Planning Map and in Appendix D to the Proposed Plan Change). An excerpt of the Planning Map shows the areas proposed to be rezoned with the Bunnythorpe to Haywards 220kV A and B transmission lines shown as black lines.	<b>Amend</b> the Planning Map so that the proposed General Residential Zone at 211 Ngarara Road and 112 Ngarara Road, does not extend into the area that intersects with the National Grid Yard.

Provision	Support/ Oppose	Submission/Reasons	Decision Sought
		 <p>Transpower does not support the new General Residential Zone as notified where it intersects with the National Grid Yard. Transpower considers that rezoning land in the vicinity of the National Grid for urban land uses:</p> <ol style="list-style-type: none"> <li>may give rise to a misleading or unreasonable expectation in respect of the development capacity or 'yield' of the site with reference to the District Plan rules and other regulations in NZECP34 and the Public Works Act;</li> <li>does not recognise that the National Grid is a qualifying matter and therefore the development capacity and density is limited with intensification restricted.</li> <li>does not give effect to the NPSET on the basis that: <ol style="list-style-type: none"> <li>it is reasonably possible to manage activities that may compromise the National Grid through a consideration of zoning; and</li> <li>zoning is a planning tool available to local authorities to signal areas within which sensitive activities will generally not be provided for.</li> </ol> </li> <li>does not represent an efficient, effective or appropriate approach to achieving objectives; and therefore</li> <li>does not achieve the purpose of the RMA.</li> </ol>	

Provision	Support/ Oppose	Submission/Reasons	Decision Sought
		Transpower considers that it would be efficient, effective and appropriate to amend the proposed Zone boundaries so that the General Residential Zone does not extend into the area that intersects with the National Grid Yard.	
Planning Maps: General – extent of zones and development areas	<b>Neutral</b>	Except as set out above, Transpower is neutral on the extent (as notified) of the various zones and development precincts. However, should the extent of the various areas be amended in the vicinity of the National Grid, Transpower seeks that the provisions that manage effects on the National Grid that are proposed for the General Residential Zone through the existing qualifying matters are similarly extended to new zones or development precincts.	

**From:** [Environment Policy](#)  
**To:** [Mailbox - District Planning](#)  
**Subject:** Kapiti Coast DC - Proposed Plan Change 2: Intensification: Submission by Transpower NZ Ltd  
**Date:** Thursday, 15 September 2022 9:46:18 am  
**Attachments:** [Transpower New Zealand Limited Submission on Proposed Plan Change 2 Kāpiti District Plan \(final\).pdf](#)

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Good morning

Please find attached a submission from Transpower New Zealand Limited to Proposed Plan Change 2: Intensification.

If would be appreciated if receipt of this submission could be confirmed.

Please do not hesitate to contact Transpower New Zealand Limited at the contact details contained within the submission should you have any queries.

Regards

Environment Policy at Transpower NZ Ltd

**Transpower New Zealand Limited**

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