

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a submission by WEL Networks Limited in
respect of Plan Change 9 to the Hamilton
City District Plan pursuant to Clause 6 of
Schedule 1 to the Act

STATEMENT OF EVIDENCE OF SARA BROWN FOR WEL NETWORKS LIMITED

27 April 2023

1. Introduction

- 1.1 My name is Sara Brown, and I am a Senior Planner employed by WEL Networks Limited (“WEL”). I hold a Bachelor of Science degree from the University of Waikato.
- 1.2 I have worked as a planner for 11 years in local authorities, the electricity distribution sector and as a consultant.
- 1.3 I have read the Section 42A Report prepared by the Council Planner.
- 1.4 I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note and I agree to comply with it. The evidence within this statement is within my area of expertise, except where I state that I am relying on information provided by another party. I have not knowingly omitted facts or information that might alter or detract from the opinions I express.

2. WEL Networks Limited

- 2.1 WEL is an electricity distributor operating under the Electricity Act 1992, who owns, operates and develops electricity distribution infrastructure in the Waikato Region to provide line function services to approximately 99,589 installation connection points. This includes the distribution of electricity to residences and businesses within the Hamilton City and Waipa and Waikato Districts. WEL is also an approved requiring authority pursuant to section 167 of the Resource Management Act 1991 (“RMA”) for its lines network functions.
- 2.2 WEL’s distribution network includes more than 7,000 km of overhead electric lines, generally in rural and older urban suburbs. Newer urban suburbs are supplied by underground cables.
- 2.3 WEL, as a network utility operator under the Resource Management Act 1991 (“RMA”), has the responsibility of providing a secure and efficient supply of electricity to the community within WEL’s distribution network area. WEL’s network of cables and lines allows every household, business, school, medical facility and other types of consumers to have access to electricity. Other infrastructure such as substations, switching stations, ring main units, transformers, service pillars and pillar boxes allow WEL to convert electricity from a higher voltage (taken from the national grid) to a useable voltage for consumers to access, and to provide an enhanced level of security of supply through built-in redundancy in the network. WEL is classified as a lifeline utility under the Civil Defence Emergency Act 2002 and is also a requiring authority under the RMA.

3. WEL’s overall position on Plan Change 9 to the Hamilton City District Plan (“Plan Change”).

- 3.1 Overall, WEL supports the Plan Change to capture the needs of the community. WEL acknowledges that some relief requested in WEL’s submission has been accepted in the Section 42A Report. However, to ensure that WEL’s purpose in delivering a safe and reliable power supply is recognised and provided for in the Plan Change document, further

amendments are required. Accordingly, WEL requests amendments to the Plan Change to give effect to its submission by:

- Enabling the operation and maintenance of network utility equipment in the Transport Corridor, in areas subject to Plan Change Overlays as a Permitted Activity.
- Enabling new aboveground and overhead infrastructure in some circumstances to avoid Archaeological Overlays.
- Amending the requirement for a Heritage Impact Assessment (“HIA”) to be provided for works within a Historical Heritage Area (“HHA”) and instead include provisions for an equivalent report by a suitably qualified person.

3.2 The reasons for these changes and the specific relief sought by WEL to address its concerns are set out in Points 4 and 5 below. If the specific relief is not accepted by Council, WEL alternatively requests that appropriate amendments be made to the provisions to give effect to the concerns raised by WEL.

4 Historic Heritage Areas

4.1 WEL **opposed** Section 1.2.2.8 (Information Requirements) and 19.1(l) and 19.1(m) (Purpose of HHA) in so far that these items require a site-specific HIA to be provided for development in HHA. WEL requested **amendments** to Section 1.2.2.8 (Information Requirements) and 19.1(l) and 19.1(m) (Purpose of HHA) to include the wording *“or an equivalent report by a suitably qualified person”* to enable other experts such as Landscape Architects to address the Information Requirements as part of a Landscape Effects Assessment, for example.

4.2 With respect to Section 1.2.2.8 (Information Requirements), the relief WEL requested was not accepted, however the Section 42A Report failed to provide reasoning for rejecting WEL’s submission.

4.3 As part of relief requested by other submitters, Council deleted items 19.1(l) and 19.1(m) (Purpose of HHA) and included new Policy 19.2.4g which *“require that all proposals for resource consent within an HHA are accompanied by a Heritage Impact Assessment which considers the effects of the proposal on the heritage values of the site and the HHA as a whole.”*

4.4 WEL **does not support** Section 1.2.2.8 (Information Requirements) and new Policy 19.2.4g as it is unreasonable to require a HIA for development when other specialist reports can consider the compatibility of development with identified heritage values of an area. The areas subject to the HHA have been assessed by a Historic Heritage Statement and as part of a resource consent application, Council have provided an exhaustive list of information requirements. In particular the information requirements seek to address consistencies of the development with the surrounding environment. It remains unclear why other suitably qualified persons are unable to provide an assessment of the proposal against the Information Requirements in the form of a Landscape Effects Assessment, for example.

5 Archaeological Sites

- 5.1 A stated in WEL's submission, the Plan Change includes new archaeological overlays within the Transport Corridor Zone generally in the Central Business District and the eastern side of the Waikato River, which contain significant concentrations of network utility equipment. There are also new archaeological overlays in private land which also contain existing network utility equipment.
- 5.2 Earthworks within new archaeological overlays in the Transport Corridor Zone and Private Land would require resource consent, where these activities are currently permitted due to the absence of the overlay.
- 5.3 WEL does not wish for the new overlays to be removed and instead requested an amendment to Policy 19.2.6(g) to enable minor work and associated earthworks of existing network utilities on Schedule 8B: Group 1 and Schedule 8C: Group 2 archaeological and cultural sites. WEL also requested a **new policy** (19.2.6h) to enable overhead infrastructure to be installed to minimise or avoid adverse effects on the archaeological sites, particularly those sites within the Transport Corridor. WEL also requested a **new rule** (19.3.3(f)) to give effect to **new policy** (19.2.6h) and enable maintenance, repair or replacement (including associated earthworks) of existing established network utilities within sites identified in Volume 2 Appendix 8, Schedule 8B and 8C, where all work shall be undertaken within the existing in-ground or on-ground dimensions of the infrastructure and any existing areas of cut and fill.
- 5.4 With respect to WEL's submission to 19.2.6(g), the Section 42A Report states that *"it is not the intention for rules in HHAs to apply to the Transport Corridor Zone, so it is recommended to insert a notation below Table 19.3.2 to clarify this"*. While WEL supports the inclusion of the notation for clarity, WEL's submission relates to archaeological areas and not HHA.
- 5.5 With respect to **new policy** (19.2.6h), the relief WEL requested was not accepted, however the Section 42A Report did not provide reasoning for rejecting WEL's submission. Additionally, the Section 42A Report stated that **new rule** (19.3.3(f)) is out of scope. WEL disagrees with the assessment that WEL's submission to include **new rule** (19.3.3(f)) is out of scope as the new archaeological overlay adversely effects WEL with respect to the ability to maintain, repair or replace our electricity network. Instead of opposing the overlay, as discussed above, WEL has requested amendments to ensure that the efficient and timely supply of electricity is not adversely affected.
- 5.6 As discussed in WEL's submission, in recent years there has been significant intensification of existing residential areas around the Central Business District and intensification of these areas is expected to increase further through Council's response to the National Policy Statement for Urban Development ("NPS-UD"). To meet the projected growth, WEL is introducing new projects to meet demand while maintaining security levels. The new projects will include maintenance and upgrading as well as additional network infrastructure to be installed throughout Hamilton, in particular, in the transport corridors, to meet the anticipated growth. WEL wishes to ensure that development enabled by the NPS-UD can be supplied with electricity in a timely and cost-efficient manner and consent is not triggered for

maintenance, repair or replacement (including associated earthworks) of existing established network utilities.

- 5.7 Further, as the country moves towards a higher capacity of renewable energy, the distribution network will become increasingly important with the sole responsibility of supplying the region's cities and towns and other areas of economic and social importance with electricity. The electricity network also plays a critical part in supplying the regional three water, transport and telecommunication infrastructure and airports with electricity and will be of significant importance in the electrification of the region.

6 Conclusion

- 6.1 WEL **does not support** the recommendations made in the Council Planner's Section 42A Report subject to the requested amendments as outlined in Section 4 and 5 of my evidence.
- 6.2 Subject to the requested amendments by WEL, overall, the Plan Change reflects sound resource management principle and practice and will achieve the purpose of the RMA.

Dated 27 April 2023



Sara Brown
WEL Networks Limited