

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF Proposed Queenstown Lakes District Plan 2015
– **Energy and Utilities**

SUBMITTER **AURORA ENERGY LIMITED**
Submitter 635
Further Submission F-1121

STATEMENT OF EVIDENCE IN CHIEF BY JOANNE DOWD
EXECUTIVE SUMMARY

Hearing Date: 14 September 2016

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1 Aurora Energy Limited's ("Aurora") submission and further submissions are primarily concerned with ensuring that the Proposed Queenstown Lakes District Plan 2015 ("Proposed Plan") appropriately recognises the significance of the electricity distribution network as a physical resource under section 5 of the Resource Management Act 1991 ("RMA").

2 The relief sought by Aurora falls within two categories:

- Relief to enable efficient and effective management of its whole network – including protection of its assets from adverse effects, including reverse sensitivity effects, associated with land uses and activities and appropriate management of potential adverse effects of Aurora's network, taking into consideration the specific locational, technical and operational requirements of its network.
- Relief to protect its critical electricity lines – including the identification of corridor protection measures for distribution assets. Such provisions are operative in a number of District Plans around New Zealand and have been operating well without adverse effects on landowners while ensuring that safety clearances required under The New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP 34:2001") and the Electricity (Hazards from Trees) Regulations 2003 from electricity distribution assets are maintained.

3 I summarise briefly the key aspects of these two categories below.

RELIEF TO ENABLE EFFICIENT AND EFFECTIVE MANAGEMENT OF ITS WHOLE NETWORK

I have outlined within my evidence in chief the recommended changes to objectives, policies, definitions, rules and assessment matters which I consider appropriate. These are included within Attachment B to my evidence but include:

- a. Amendments to Objective 30.2.5 and inclusion of a new Policy 30.2.5.4 which seek to recognise the positive social, economic, cultural and environmental benefits of utilities;
- b. Amendments to Policy 30.2.6.2 to recognise the locational, technical and operational requirements of utilities and benefits associated with utilities;
- c. Recognition within the Proposed Plan of the requirement to comply with the Electricity (Hazard from Trees) regulations 2003; and

d. The amendments recommended to and inclusion of the following definitions:
Utility; Electricity Sub Transmission Corridor; Electricity Distribution; Regionally Significant Infrastructure; Support Structure and Sensitive Activities.

4 In my view the proposed changes are appropriate and will address the imbalance in the notified provisions.

5 However, there are a number of areas where I have concern. I have addressed these issues in depth in my evidence in chief but list the provisions of concern below:

- **Rule 30.4.6 Non-renewable Electricity Generation** – As currently worded the proposed rule requires standby and temporary generators to be located on the site of the proposed activity. Given the linear nature of Aurora’s network, and the fact that multiple land holdings are often involved in a planned programme of works, it will not always be possible to locate a generator on the site of the proposed activity. This being the case, Aurora’s temporary generators (for non-emergency use-such as planned maintenance and outages) would default to a Non-complying Activity status.
- **Rule 30.4.11 New Lines and Support Structures and Definition of Minor Upgrading** - Given the reduction in the activities provided for under the proposed definition of *Minor Upgrading*, the majority of works undertaken by Aurora on private land will fall to be considered under Rule 30.4.11. This would result in a requirement for resource consent for activities with minor/negligible adverse effects which are currently provided for under the Operative Queenstown Lakes District Plan (“Operative Plan”) as a *Permitted Activity*
- **Rule 30.4.11 New Lines and Support Structures – Matters of Control** – In my opinion, the requirement for a natural hazards assessment for all new lines and support structures is overly onerous and has the potential to cause significant delays in Aurora’s network utility activities. In my view, infrastructure providers, such as Aurora, are in the best position to assess the risks of locating network utility structures (involving non-habitable buildings) in potential hazard areas in terms of continuity of electricity services and the reliability of its network.
- I also have concerns over the proposed control in relation to appearance, scale and visual effects. The support structures utilised by Aurora are designed in accordance with technical, operational and safety requirements which limit opportunities for mitigating potential effects associated with height, bulk, scale and design. In my view the challenging topographical conditions; safety clearance requirements and issues

associated with access need to be taken into consideration in relation to electricity distribution assets. Requirements to paint support structures results in costly construction and maintenance requirements that can affect the integrity of the support structure and result in more frequent maintenance/replacement requirements for very little advantage from a visual perspective.

- **Rule 30.4.18 – Buildings (associated with a Utility)** – As currently drafted Rule 30.4.18 will require a *Discretionary Activity* resource consent for relatively small scale electricity distribution assets such as distribution cabinets and kiosks in Significant Natural Areas, the Arrowtown Historic Management Zone and the Remarkables Park Zone. In my view, many of these structures are small scale in nature and as such should be exempt from this rule. In instances where consent is required, the default consent status should be amended to a *Controlled Activity* rather than *Discretionary* to ensure that certainty can be provided to utility operators.
- **Rule 30.5.8 Height** – No provision has been made within this rule to provide for structures associated with electricity distribution. In my view the height of support structures associated with electricity distribution are dictated by Electricity Industry Standards and Regulations to ensure appropriate safety clearances are achieved. In my view specific height requirements could be identified for permitted electricity distribution structures within the various activity areas in a similar vein to that provided for telecommunications infrastructure.

CRITICAL ELECTRICITY LINES

- 6 In my opinion, it is appropriate that the Proposed Plan contains a policy and rule framework to protect the integrity of the high voltage and critical distribution lines (identified in the Aurora submission), and their ability to provide the safe, secure and efficient supply of electricity. In my view such measures will protect distribution infrastructure against land uses and development effects (i.e., reverse sensitivity) that have the potential to compromise its operation. The Operative Plan currently fails to adequately protect such critical infrastructure (i.e., lines less than 110kV) with the result being that developments have the potential to be consented without input from the affected asset owner. The high voltage assets and Critical Electricity Lines (“**CELS**”) owned by Aurora are not covered by the National Environmental Standards for Electricity Transmission activities (“**NESETA**”), nor any other National Environmental

Standard, hence protection of such infrastructure is best provided through the Proposed Plan review process currently being undertaken.

7 The s42A Report Officer has recommended that Aurora's 66/33kV assets should be recognised and provided for as *Regionally Significant* and protection provided for such assets within the Proposed Plan. In my view this is appropriate and is supported. However, as I have outlined within my evidence in chief, there are some areas where I hold concern particularly in relation to:

- The exclusion of the Wanaka to Makaroa 11kV line from this definition;
- The proposed reduction in setback requirements for subdivision which would not comply with NZECP34 requirements; and
- The proposed activity status for non-compliance – defaulting to Non-Complying.