

WEL Networks Limited - Hearing Evidence
Plan Change 6 to the Operative Hamilton City District Plan

1. Introduction

- 1.1 My name is Karleen Broughton. I am Commercial Legal Counsel at WEL Networks Limited (“WEL”).
- 1.2 I hold Bachelor of Laws and Bachelor of Arts degrees from the University of Auckland. I have practised law since 1996 and worked in-house in the electricity industry since 2006. I commenced my current role in 2017.

2. WEL

- 2.1 WEL is an electricity distributor operating under the Electricity Act 1992. It owns, operates and develops electricity distribution infrastructure in the Waikato Region to provide line function services to approximately 91,000 installation connection points. This includes the distribution of electricity to residences and businesses within Hamilton City.
- 2.2 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 its distribution network area. WEL is also an approved requiring authority pursuant to section 167 of the RMA for its lines network functions.

3. WEL’s position on Plan Change 6

- 3.1 WEL generally supports Plan Change 6 as it will improve the effectiveness of the Operative Hamilton City District Plan (“District Plan”) in enabling development. However, WEL wishes to ensure that its purpose in delivering a safe and reliable power supply is not adversely affected by the Plan Change.

4. Specific amendment sought by WEL

- 4.1 As earthworks have the potential to damage network equipment, WEL generally supports Rule 25.2.4.1g but seeks the amendment set out in its submission (submission point 22.02) and below in paragraph 4.5.
- 4.2 WEL has technical standards in terms of cable depth below ground level and even minor earthworks in the vicinity of a cable can result in the cable lying at a non-complying depth. Earthworks within proximity to network equipment must also comply with the requirements of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34).

- 4.3 The Section 42A Hearing Report rejected WEL's request for amendment to Rule 25.2.4.1g because:

"This change would be difficult to implement and monitor through the District Plan. The proposed rule adequately captures any potential malfunction or damage to the network utility and does not impact on the requirement to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34)."

- 4.4 WEL disagrees. The proposed wording ensures that a person undertaking earthworks (such as a developer) is aware that the Network Utility Operator has specific rules in place for reasons of health and safety and to ensure that its cables are not damaged. The proposed amendment to Rule 25.2.4.1g will point the developer directly to the Network Utility Operator in applying this rule, instead of Council or the developer determining how this rule is applied.
- 4.5 To reflect such matters, and as outlined in WEL's submission, WEL requests that the following amendment sought to Rule 25.2.4.1g be accepted:

g) Earthworks must not cause malfunction or result in damage to network utilities, or change the cover over network utilities so as to create the potential for damage or malfunction or non-compliance with the technical requirements of the network utility operator and/or any regulation or code applicable to the network utility.

5. Conclusion

- 5.1 WEL generally supports the recommendations made in the Council Planner's Section 42A Hearing Report on Plan Change 6, subject to the requested amendment as outlined in section 4 of my evidence.
- 5.2 Overall, the Plan Change reflects sound resource management principle and practice and will achieve the purpose of the RMA.

Dated 6 May 2020



Karleen Broughton
WEL Networks Limited