Written Hearing Statement – Plan Change 12
Sara Brown
WEL Networks Limited

My name is Sara Brown, I am a Senior Planner at WEL Networks Limited. With me is Craig Marshall, who is the Head of We.EV at WEL.

I will summarise WEL's evidence and respond to the rebuttal evidence by Mr Mark Roberts and Mr Paul Ryan, notified on the 15 August 2024. I will also respond to the legal submission by Kainga Ora, dated 30 August 2024.

- WEL's submission and evidence identified concerns with the intensification enabled under the Resource Management (Enabling Housing Supply) Amendment Act 2021.
- This Act will increase the risk of unsafe environments by enabling buildings, structures and people in close proximity to electricity infrastructure.
- Section 34 of the New Zealand Electrical Code of Practice for Electrical Safe Distances, also known as ECP34, sets the minimum safe distances between buildings, other structures, such as scaffolding, and electricity infrastructure.
- The more lenient setback and height standards will significantly increase the potential for development to be located in positions that breach ECP34 without there being any resource consent, or consultation with WEL.
- In many cases it will be impossible to construct buildings and associated scaffolding lawfully and subsequently safely with respect to ECP34.
- When a resource consent is granted and/or building consent is issued, developers rely on that consent as confirmation that development standards have been met. Failure to confirm safe distances between development and existing overhead electric lines undermines Council's processes by allowing development that cannot be safely built and occupied.
- In addition to the significant safety risks, the cost to retrospectively achieve compliance with ECP34, whether by undergrounding the affected line or demolishing the building, can in some cases exceed the value of the building work.
- WEL's submission sought to include rules to appropriately recognise ECP34 to address these safety concerns anticipated with the Amendment Act.
- These rules would require developers to determine and address safety concerns during the predevelopment stage rather than retrospectively.
- Mr Roberts rebuttal evidence recommended that WEL's submission be accepted, and the rules amended to give effect to ECP34.
- I have reviewed the rebuttal evidence and consider the rules, as drafted, will ensure that the construction and occupation of development too close to overhead electricity lines, is avoided
- For these reasons, WEL is supportive of the amendments outlined in this rebuttal evidence, insofar that it relates to ECP34 and WEL's submission.
- The legal submission by Kainga Ora agrees with Council primary evidence to include an advice note to address EP34.

- The reasoning for this view being an advice note is sufficient for a landowner to be alerted to the fact that there are other matters that must be complied with.
- WEL disagrees with this view for the reasons outlined in my evidence.
- One of these reasons being that from WEL's experience these advice notes currently do not work and we are already seeing development too close to overhead lines.
- It is important to note that the absence of the rules relating to ECP34 in the District Plan does not negate the requirement for compliance.
- The benefits of including the rules are that the safety risks are known and addressed upfront at the predevelopment stage and cannot be ignored.
- If an overhead line is required to be placed underground, then those costs will be known upfront or alternatively the development can be situated to comply with ECP34.
- Most importantly the inclusion of the rules will ensure that construction workers and future tenants and owners are safe from electricity hazards.
- Advice notes are not enforceable and may result in development being approved by Council in unsafe locations with respect to ECP34.
- Separately, Mr Ryan submitted rebuttal evidence recommending further amendments to the definition of an EV Charging Point and a rule relating to EV Charging.
- WEL is supportive of the rebuttal evidence of Mr Ryan insofar that it relates to electric vehicle chargers.

We are happy to answer any questions you may have.