

**BEFORE THE COMMISSIONERS APPOINTED BY
THE QUEENSTOWN LAKES DISTRICT COUNCIL**

IN THE MATTER	Of clause 6 of the First Schedule of the Resource Management Act 1991 (the Act)
AND IN THE MATTER	Of the Queenstown Lakes District Council Proposed District Plan (Stage 3) (PDP Stage 3)
SUBMITTER	AURORA ENERGY LIMITED Original Submission 3153

**SYNOPSIS OF SUBMISSIONS OF COUNSEL ON BEHALF OF AURORA ENERGY
LIMITED ON STREAM 16 – WĀHI TŪPUNA**

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SYNOPSIS OF SUBMISSIONS OF COUNSEL ON BEHALF OF AURORA ENERGY LIMITED ON STREAM 16 – WĀHI TŪPUNA

May it please the Commissioners:

Introduction

1. Counsel appears for Aurora Energy Limited (**Aurora**). Aurora owns and operates electricity distribution infrastructure that supplies electricity to more than 90,000 homes in the Queenstown Lakes, Dunedin and Central Otago Districts.
2. Aurora is the primary electricity sub-transmission provider with an extensive network of underground cables, lines and supporting structures, transformers, zone substations and other infrastructure which connects Transpower's Transmission Network and provides individual connections to customers.

Proposed Works over the next three years and beyond

3. It has been well-traversed that Aurora is to undertake a significant investment in its network to upgrade aging infrastructure as a result of historic under-investment. Aurora has sought that work to be funded by way of a Customised-Price Quality Path (**CPP**). This type of application is required where the "default price-quality path" does not meet the needs of the network. Aurora filed its CPP Application with the Commerce Commission on 12 June 2020 and a decision is due by 31 March 2021.
4. Works to upgrade Aurora's network are ongoing. Regardless of the outcome of Aurora's application to the Commerce Commission a significant amount of works to upgrade its network in the Queenstown Lakes District (including in Central Otago and Dunedin) will continue. What is clear is that there will be more work on Aurora network per year over the next 3 years than there has been in the years to date. The outcome of the CPP Application will determine if the scope of those works will be even greater than what it would ordinarily be under the "default" price path. In either case, Aurora seeks to ensure that it can undertake those works in an efficient and effective manner.

PDP Stage 3

5. The existing Proposed District Plan (being PDP Stages 1 and 2) recognises the importance of Aurora's network. That recognition stems the Proposed Regional Policy Statement where the functional needs, including the maintenance and improvement, of regionally significant infrastructure is to be enabled and provided for.

6. This support flows down into the Strategic directions in Chapter 3 of the PDP which seeks to ensure that infrastructure in the District can be upgraded efficiently and effectively to meet community needs (S.O 3.2.1.9) and to provide for the functional needs of infrastructure that is of “regional” importance. In my submission the recognition in the PDP to provide for the functional needs of infrastructure is what has led to the permitted activity status for minor upgrading, new lines in roads, etc.
7. However, the Section 32 Evaluation does not assess the existing provisions which led to the permitted activity status for these types of activities against what has been introduced in PDP Stage 3 in terms of their efficiency and effectiveness for electricity distribution providers, such as Aurora, to provide for the well-being of the community. That is what the Council were directed to do by section 32(3) of the RMA but they have failed to do so. For the reasons outlined in my submissions it is neither efficient nor effective to require resource consent for activities such as minor upgrading.

Submission

8. I will attempt to summarise Aurora’s interest in Stream 16 into two key issues:
 - (a) Issue 1: Earthworks in proximity to waterbodies
 - (b) Issue 2: Maximum volume threshold for earthworks in Wāhi Tūpuna areas
9. Both issues can framed in terms of what the PDP already provides for by way of Rule 25.3.2.8(b). This rule excludes the provisions of Chapter 25 (including the rules notified through PDP Stage 3) where it relates to: earthworks for the placement of “underground cables or lines”. So for example, if Aurora had to install a brand new section of overhead line or underground cable then it would not be inhibited by the rules in Chapter 25. In my submission it is appropriate to extend this rule to encompass “minor upgrading” on the basis that the adverse effects are inherently less than the installation of new lines or cables, relate to existing infrastructure, and are otherwise temporary in nature.
10. Aurora’s refined position is based on the provisions supported by Council in its opening, which we have reviewed and are largely in support of.
11. Consequential amendments are sought to clarify that, with respect to electricity distribution activities, “lines” include supporting structures. This is consistent with the approach taken in Chapter 30 and recognises the practical reality that a line cannot be

installed without a support structure. The amendment is only superficial and, in my submission, can be done pursuant to Clause 16(2) of the Act.

12. It is submitted that Aurora's refined relief is appropriate to give effect to the Strategic Directions of the PDP and on the basis that the activities which are sought to be excluded are activities which no more than minor and temporary adverse effects on the environment.

Dated 15 July 2020

A handwritten signature in blue ink, appearing to read 'S R Peirce', is enclosed in a light blue rectangular box. The signature is fluid and cursive, with a large initial 'S' and 'R'.

S R Peirce