

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of a notice of requirement
issued by **WEL NETWORKS
LIMITED** pursuant to section
168(2) of the Act for
designations (3) to authorise
the implementation of the
Western Network Upgrade
Project

STATEMENT OF EVIDENCE OF CHRISTOPHER JOHN DAWSON

1. INTRODUCTION

Qualifications and experience

- 1.1 My name is Christopher John Dawson. I hold the qualifications of a Diploma in Parks and Recreation Management with Distinction from Lincoln University (1989), a Bachelor of Social Science with Honours majoring in Geography and Resources and Environmental Planning (1996), and a Post Graduate Diploma in Resources and Environmental Planning from Waikato University (1997). I have twelve years experience in resource management planning in New Zealand and I am a full member of the New Zealand Planning Institute and the Resource Management Law Association.
- 1.2 My work experience over the past twelve years has involved preparing, processing and reporting on subdivision and land use applications for projects throughout the Waikato, Bay of Plenty, King Country and South Auckland. More recently I have been involved with structure planning, industrial land strategies, quarry extension projects and waste water treatment proposals.
- 1.3 I am currently employed as a Senior Planner at Bloxam Burnett and Olliver (BBO), a firm of consulting engineers, planners and surveyors based in Hamilton. I have worked in this capacity since February 2001.

Involvement in the project

- 1.4 I have been involved with the WEL Network Upgrade Project (WNUP) since July 2006, have visited the line route and the surrounding rural areas and local settlements numerous times and am very familiar with the project, site and surrounding locality. My role in the WNUP has been to facilitate consultation with key stakeholders, landowners and the general public.

Expert Witness Code of Conduct

- 1.5 I have been provided with a copy of the Code of Conduct for Expert Witnesses contained in the Environment Court's Consolidated Practice Note 2006 [2006] NZRMA 357. I have read and agree to comply with that Code. This evidence is within my area of expertise, except where I state that I am relying upon the specified evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Purpose and scope of evidence

- 1.6 The consultation undertaken by WEL in relation to this project is discussed in detail in section 8 of the Notices of Requirement Volume 1A (page 82). In light of that detailed discussion, the purpose of my evidence is to highlight the key issues, discuss additional consultation undertaken following the lodgement of the Notices of Requirement with the Waikato District Council and the results of that work.
- 1.7 In that regard, my evidence will address the consultation processes, including consultation with tangata whenua groups, affected parties, surrounding landowners, key stakeholders and other interest groups. I will discuss the methods used, the actions and outcomes and the material changes that were made to the project as a result of the consultation feedback.
- 1.8 Against that background, my evidence will address the following:
- (a) Summary of my evidence (Section 2);
 - (b) Consultation philosophy (Section 3);
 - (c) Consultation with landowners (Section 4);

- (d) Consultation with key stakeholders (Section 5);
- (e) Consultation with other potentially affected parties (Section 6);
- (f) Consultation with Submitters (Section 7);
- (g) Conclusion (Section 8)

2. SUMMARY

Information sharing and consultation strategy

- 2.1 WEL developed a consultation strategy in the early phases of the project, which was designed to achieve a specified set of objectives. A copy of the Consultation Strategy is included as Attachment 3C in Volume 3 of the Notices of Requirement documentation.

Communication and consultation with potentially affected parties

- 2.2 Early on in the development of the project, it was decided that consultation would be early, proactive and comprehensive. Consultation commenced with potentially affected landowners along the broad potential lines corridor. This early consultation comprised a team of four who worked with individual landowners along the proposed lines corridor to identify alternative route options, address specific landowner issues and negotiate appropriate easements with directly affected landowners.
- 2.3 Once the preferred lines corridor was reasonably clearly known, WEL commenced consultation with other potentially affected landowners and key stakeholders, including tangata whenua, Department of Conservation, New Zealand Transport Agency (formerly Transit New Zealand), the Waikato District Council Roading Department, SuperAir, Waikato District Council Reserves Department and Transpower.
- 2.4 The consultation undertaken for the WNUP has provided WEL Networks with an understanding of the issues of concern to the surrounding landowners and key stakeholders. These have been addressed where possible through route or design changes, conditions or mitigation measures.

2.5 A summary of the key measures agreed as a result of the consultation are:

- (a) Agreement has been reached with the majority of the landowners over whose land the route passes.
- (b) Written approvals were obtained from a number of affected parties along the route.
- (c) A protocol has been agreed with Nga Uri o Mahanga and the Waikato Raupatu Lands Trust (Tainui) on accidental discovery conditions. Early consultation enabled the final line route to avoid known areas of significance to Nga Uri o Mahanga;
- (d) Agreement has been reached with SuperAir over specific measures to make the line and poles more visible near topdressing airstrips along the lines route;
- (e) Agreement has been reached with the New Zealand Transport Agency (formerly Transit New Zealand) over preliminary design details;
- (f) Agreement has been reached with the Roading Department of Waikato District Council over the general alignment and pole placement as it affects Karakariki Road.
- (g) Agreement has been reached with Transpower over the connection of the proposed 110 KV transmission line into the Transpower owned Te Kowhai Substation subject to detailed design work at a later stage.

3. **CONSULTATION PHILOSOPHY**

3.1 The consultation philosophy adopted for this project has been to consult with directly affected landowners first, followed by consultation with key stakeholders and other potentially affected parties. This approach has been used on the basis that WEL as requiring authority should take all necessary steps to work with directly affected landowners, identify issues and address those issues where possible before consulting more widely with the communities through which the line is located. This also assists WEL to investigate all possible alternative routes before determining the preferred route for which to lodge the final Notice of Requirement.

4. CONSULTATION WITH LANDOWNERS

- 4.1 The consultation process commenced by sending a letter to each landowner along a number of alternative routes, which introduced the project and explained the process that WEL wished to follow. These letters were sent out on 11 October 2006 and were followed up with a personal phone call and a meeting with each landowner by the assigned negotiator. An example of the October 2006 letter and information is included as Attachment 1 to my evidence.
- 4.2 A team of four carried out negotiations with all of the landowners over a period of two years to try and secure an easement along the entire route. This involved meetings and site visits to secure an easement route that addressed the concerns of individual landowners and would result in a workable easement alignment for WEL.
- 4.3 Generally the route has avoided buildings or sensitive views where possible. In some areas the route easement follows an existing line route with the new poles carrying the existing line in addition to the new line to reduce the overall visual effect of the infrastructure. In other areas the new lines will replace an old line which has either been superseded or, in places, put underground. These specific details are discussed in more detail in the Notice of Requirement documents.
- 4.4 This phase of the project took approximately two years from July 2006 to late 2008, and has resulted in a total of 22 out of 24 total landowners on the preferred route, reaching agreement (or agreement in principle) with WEL over easements for the line. Mr Jackson has addressed alternatives considered in relation to the properties of the landowners with whom WEL has not reached agreement in principle.
- 4.5 A map showing the properties with whom WEL has negotiated easement agreements or has positive negotiations underway is appended to my evidence as Attachment 2. This attachment also indicates the location of those landowners (or other affected parties) who have lodged submissions in opposition or where negotiations have been negative.
- 4.6 A consultation log outlining consultation with submitters on the Notices of Requirement is appended as Attachment 3 to my evidence.

5. CONSULTATION WITH KEY STAKEHOLDERS

5.1 The consultation with key stakeholders comprised the provision of information in the form of technical reports and plans, followed up with meetings and further information where required. In some cases specific alterations were made at the request of the stakeholder while in other cases design additions or conditions were added to the draft conditions to address specific concerns. A copy of the Stakeholder consultation register is included as Attachment 3B in Volume 3 of the NOR application.

Nga Uri o Mahanga

5.2 The consultation process with local iwi commenced at the same time as landowner negotiation commenced. This consultation involved members of Nga Uri o Mahanga, confirmed as having mana whenua status over the area within which the lines project route is located, along with members of Ngati Tamunuiapo who have mana whenua status over the northern section of the route between the end of Karakariki Road and the Te Kowhai Point of supply.

5.3 Nga Uri o Mahanga representatives confirmed that their only concern was to ensure that areas or sites of particular cultural significance to them were avoided by the route and/or protected if they were adjacent to it.

5.4 The initial alternative routes were explored from end to end by representatives of Nga Uri o Mahanga to allow a general feel for the area of interest and to narrow down potential areas of concern. Three specific areas of interest were identified, being a historic pa site south of State Highway 23 on the Waitetuna River, pa site R14/146 just north of State Highway 23 between Otonga Valley Road and Cogswell Road and a historic urupa and pa site on the western bank of the Waipa River immediately south of the Te Kowhai point of supply. The preferred line route avoids all of these specific areas of interest and in addition an accidental discovery condition has been developed. This condition is part of the suite of conditions offered to the Council for its consideration and is attached to the evidence of Mr Sherriff.

5.5 A letter of support from Mr Sunnah Thompson of Nga Uri o Mahanga is contained as Attachment 3D in Volume 3 of the NOR application.

Waikato District Council Regulatory

- 5.6 Waikato District Council staff were introduced to the project in mid 2008, primarily to allow them to provide feedback on the scope of matters covered in the Notice of Requirement. This also allowed them sufficient time to prepare the appropriate staff resources to review and process the Notice of Requirement when it was lodged.

Waikato District Council Roding

- 5.7 The notified line route traverses portions of the northern part of Karakariki Road which is part of the Waikato District local road network. Consultation was undertaken with Roding Department staff and a site walkover held in August 2008 to identify areas of concern. Key issues for Council staff were to ensure the final pole locations were located as far as possible from the sealed carriageway of the road and to confirm pole locations in areas where there may be future road improvements or realignments.
- 5.8 Agreement in principle with the Roding Department was achieved on 18 August 2008 subject to further discussion on final pole placement following detailed design, an agreement over costs associated with tree removal and pole relocation in the case of road works. This agreement in principle is contained as Attachment 3D in Volume 3 of the NOR application.

Federated Farmers

- 5.9 Consultation was undertaken with local Federated Farmers representative, Mr Tony Armstrong to brief him on the project and seek feedback on behalf of his organisation. Mr Armstrong was primarily concerned with the property rights aspects of the project but was comfortable with the project following consultation. Mr Armstrong also provided his written approval to the project as a landowner which is contained in Volume 3 of the NOR.

Williamson

- 5.10 Mr and Mrs Williamson raised specific concerns in their submission that the proposed line would adversely affect future opportunity to subdivide their property. As I have considerable experience in preparing and processing subdivisions in the Waikato District for both the Council and private developers, I was requested to review subdivision options with the Williamsons and provide independent advice to them. A copy of my report is included as Attachment 3F in Volume 3 of the Notices of Requirement.
- 5.11 The Williamsons noted in their submission that the lines proposal will limit the subdivision potential of their land. Based upon the analysis I have undertaken I do not agree with this statement. Following my review of the relevant subdivision rules in the Operative and Proposed Waikato District Plans and several site visits to the property I concluded that while some subdivision was possible, the location of any such development was severely limited by access difficulties.
- 5.12 In that regard the Williamsons' property does not have any frontage to Otonga Valley Road therefore the western portion of the property could not be subdivided. The southern boundary abuts State Highway 23 and any development on that boundary would require direct access to the State Highway.
- 5.13 A subdivision application would be a discretionary activity, and would need to demonstrate that the appropriate separation distances and minimum sight distances could be achieved from any new access. On the basis of my review, the likelihood of obtaining consent from the New Zealand Transport Agency (NZTA) to such an application would be very low.
- 5.14 In my view the only available access to the Williamson property is from Cogswell Road. Even access from Cogswell Road is not certain and the Williamsons would need to either purchase land from neighbours, obtain permission to cross an esplanade reserve or obtain additional access rights over an existing right of way depending on which access point was preferred.
- 5.15 While a total of four additional lots would be possible (taking into account the risks identified and including the covenanting of at least 5 hectares of native vegetation), the best location for those lots is in the north east corner of the

property. This location is approximately 500 m from the proposed line route, which follows the existing line route, and any adverse impact on the proposed lots from the new line would be minor due to the distance and intervening topography.

New Zealand Transport Agency (NZTA)

5.16 Consultation with NZTA staff took place over several months in mid to late 2008. The key issues raised by NZTA were:

- (a) The location and nature of the points where the line crossed the State Highway corridor; and
- (b) Potential construction issues where an existing line was proposed to be undergrounded along the side of the State Highway corridor.

5.17 These issues have now been addressed to the satisfaction of NZTA and a letter was received on 11 November providing NZTA's approval of the proposed designation. This is included as Attachment 3D in Volume 3 of the application documents.

Department of Conservation

5.18 Consultation with the Department of Conservation (DoC) staff commenced in July 2008. Primary issues raised by the Department included the potential for sedimentation in waterways, loss of vegetation and the potential for arcing of lines and associated fire risk. These issues were discussed with DoC staff and further information was provided to DoC on the ways in which WEL would address these matters. The submission lodged by the Department was neutral but raised two matters for consideration of further conditions:

- (a) The installation of bird diverters on areas of the line where bird strike is more likely; and
- (b) The mitigation of the clearance of areas of significant vegetation as described in the Kessels and Associates report.

5.19 I have discussed this matter further with the Department and Mr Kessels and propose that conditions be imposed on the designations requiring these matters to be addressed. I rely on the evidence of Mr Kessels for my opinion that any

monitoring of the effectiveness of the bird diverters cannot be justified. Mr Kessels has advised that the risk of bird strike is very low and the type and amount of monitoring required to achieve a robust level of monitoring would involve substantial amount of time and expense for little result. An advice note requesting that any birds found near at risk areas be notified to the Department of Conservation, would be the only addition to the conditions on this issue. In my opinion WEL has consulted appropriately with the Department of Conservation sufficient to offer appropriate conditions to mitigate the adverse effects of the line on indigenous vegetation and bird strike.

SuperAir

5.20 WEL has consulted with representatives of SuperAir who service the rural community in the vicinity of the line route for aerial topdressing. Key issues for SuperAir staff were the potential for the line to impact on the use of an existing airstrip located on the Tainui land. This airstrip is visible in the bottom left hand corner of Map 17 in the Notice of Requirement maps. A specific agreement was reached with SuperAir relating to additional mitigation measures around this particular airstrip and a letter of support was received from SuperAir in late July 2008. A copy of this letter is included as Attachment 3D in Volume 3 of the Notice of Requirement.

Tainui Group Holdings Limited

5.21 Tainui Group Holdings Limited (TGHL) is the development and land management arm of Tainui and owns the former Whatawhata Research Station located on the north side of State Highway 23, east of the Raglan Deviation. The Electricity line NOR passes through the TGHL land as shown on Maps 16, 17 and 18 in the Plans contained in Volume 1B of the NoR application. WEL has been negotiating with both TGHL and AgResearch as the leasees of the land for the past two years and as at the date of writing have the written approval of AgResearch (included as Attachment 4 to my evidence) and full agreement in principle from TGHL.

6.0 CONSULTATION WITH OTHER POTENTIALLY AFFECTED PARTIES

6.1 Once the preliminary lines route was largely in place and the majority of directly affected landowner consultation had been completed, consultation commenced with other potentially affected parties. The primary area of focus for this