

**BEFORE THE INDEPENDENT HEARING PANEL FOR THE
PROPOSED WELLINGTON CITY COUNCIL DISTRICT PLAN**

UNDER of the Resource Management Act 1991

IN THE MATTER OF Proposed Wellington City Council District
Plan

AND

IN THE MATTER OF Submitter (304) and Further Submitter (097)
by Firstgas Limited

WRITTEN STATEMENT OF EVIDENCE OF PAMELA JANE UNKOVICH

**Hearing Stream 9:
Infrastructure and Risks**

Evidence date: 27 May 2024

Hearing Commencement date: 10 June 2024

INTRODUCTION

Qualifications and Experience

1. My full name is Pamela Jane Unkovich.
2. I am a Senior Planner at First Gas Limited (FGL). I am authorised to provide evidence on behalf of FGL.
3. I hold a Bachelor of Science (Geography/Environmental Science) from University of Auckland.
4. I am a member of the Resource Management Law Association, and an associate member of the New Zealand Planning Institute.
5. I have over 25 years professional experience in urban and environmental planning, community development and property management both within nationally and internationally, working as a consultant within both the private and public sectors. My work has included preparation and review of resource consents, plan changes, submissions and presentations to central and local government, project and contract management and generic planning advice.
6. I have been in my current role as FGL's Land and Planning Advisor/Senior Planner for two years.
7. I am familiar with the Wellington City Council district, the Operative Wellington City Plan and Proposed Wellington City Plan ('PCP').

Code of Conduct

8. Notwithstanding that this is a Council Hearing, I confirm that I have read the 'Code of Conduct' for expert witnesses contained in the Environment Court Practice Note 2014 and my evidence has been prepared in compliance with that Code. Unless I state otherwise this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

Scope of Evidence

9. My written evidence covers the submission points lodged by Firstgas in relation to the Infrastructure and Risk matters. I have also read the following relevant s42A Reports as they relate to Firstgas' submissions (and others where relevant), and my evidence responds to the commentary and recommendations in the report where necessary to do so:

- (a) Wellington City Proposed District Plan – Part 1 – District Wide Matters – Infrastructure – Thomas (Tom) Anderson, dated 13 May 2024;
- (b) Wellington City Proposed District Plan – Part 2 – District Wide Matters – Infrastructure – Sub-chapters – Thomas (Tom) Anderson, dated 13 May 2024.

10. My written evidence will briefly address the following:

- (a) The planning background for Firstgas' submissions and an outline of the need to provide sufficient recognition and protection of the high-pressure gas transmission network in the District in higher order planning documents / frameworks. This background draws on the Statement of Evidence of Graeme John Roberts of Wood Beca, provided to the Panel for Hearing Stream 5 in July 2023.
- (b) My responses to the recommendations made in the Section 42A report on Firstgas' submissions.

Planning Background and Higher Order Planning Documents

11. Ultimately, the purpose of the Resource Management Act 1991 (RMA) is to promote the sustainable management of natural and physical resources. The term 'sustainable management' is defined in Section 5 and includes enabling people and communities to provide for their social, economic and cultural well-being and for their health and safety.

12. The gas network delivers significant benefits to people and communities, supporting their social and economic well-being, as well as providing for their health and safety. Activities and operations associated with the gas transmission network clearly provides a critical role in this context for the Wellington District, and indeed the wider Region and beyond.

13. Enabling objectives and policies contained within The Greater Wellington Regional Policy Statement 2013 (GWRPS) in respect of the recognition and protection of regionally

significant infrastructure have been specifically addressed in previous evidence prepared by Graeme John Roberts of Wood Beca and provided to the Panel for Hearing Stream 5. I do not consider there is any merit in repeating this assessment, suffice to say that Objective 10 and Policies 7, 8 and 39 of the GWRPS provide a clear and directive focus for the Wellington City Council District Plan to ensure that the operation, maintenance and upgrade of the Gas Transmission Network is provided for, through enabling and protective means.

14. Additionally, it is specifically noted that the explanation to Policy 8 confirms that protecting regionally significant infrastructure does not mean that all land uses or activities under, over, or adjacent are prevented. This approach aligns with the way in which Firstgas operate their network, but ultimately that network must be allowed to efficiently and effectively operate and be maintained and upgraded, in a manner that protects people, property and the environment.

Section 42A Report Recommendations – Infrastructure

INF-P1: Recognising and providing for infrastructure

15. Following a review of the s42A report, I concur with the recommendation to accept Firstgas submission 304.23, and retain the policy as notified.

INF-P2: Coordinating infrastructure with land use, subdivision, development and urban growth

16. Following a review of the s42A report, I support the recommendation to accept Firstgas submission 304.23 in part, and the amendment of the policy to include 'existing and'.

INF-P4: Undergrounding of infrastructure

17. Following a review of the s42A report, I concur with the recommendation to accept Firstgas submission 304.24, and retain the policy as notified.

INF-P5: Adverse effects of infrastructure

18. Following a review of the s42A report, I support the recommendation to accept Firstgas submission 204.25, and retain the policy as notified.

INF-P6: Consideration of the adverse effects of infrastructure

19. Following a review of the s42A report, I support the recommendation to accept Firstgas submission 204.26 and retain the policy as notified.

INF-P7 Reverse sensitivity

20. Following a review of the s42A report, I support the recommendation to accept Firstgas submission 204.26 and amend the policy to reference the 'Gas Transmission Network'.

INF-R1: Operation, maintenance and repair, or removal of existing above and underground infrastructure and ancillary vehicle access tracks

21. Following a review of the s42A report, I support the recommendation to accept Firstgas submission 304.29 and retain the rule as notified.

INF-R2: New underground infrastructure (including customer connections), and upgrading of existing underground infrastructure

22. Following a review of the s42A report, I support the recommendation to accept Firstgas submission 304.30 and retain the rule as notified, albeit with minor amendments in relation to Powerco submission 127.18 to amend to the definition of customer connections.

INF-R3: Upgrading of existing aboveground infrastructure

23. Following a review of the s42A report, I support the recommendation to accept Firstgas submission 304.31 and retain the rule as notified.

INF-R4: New vehicle access tracks for infrastructure

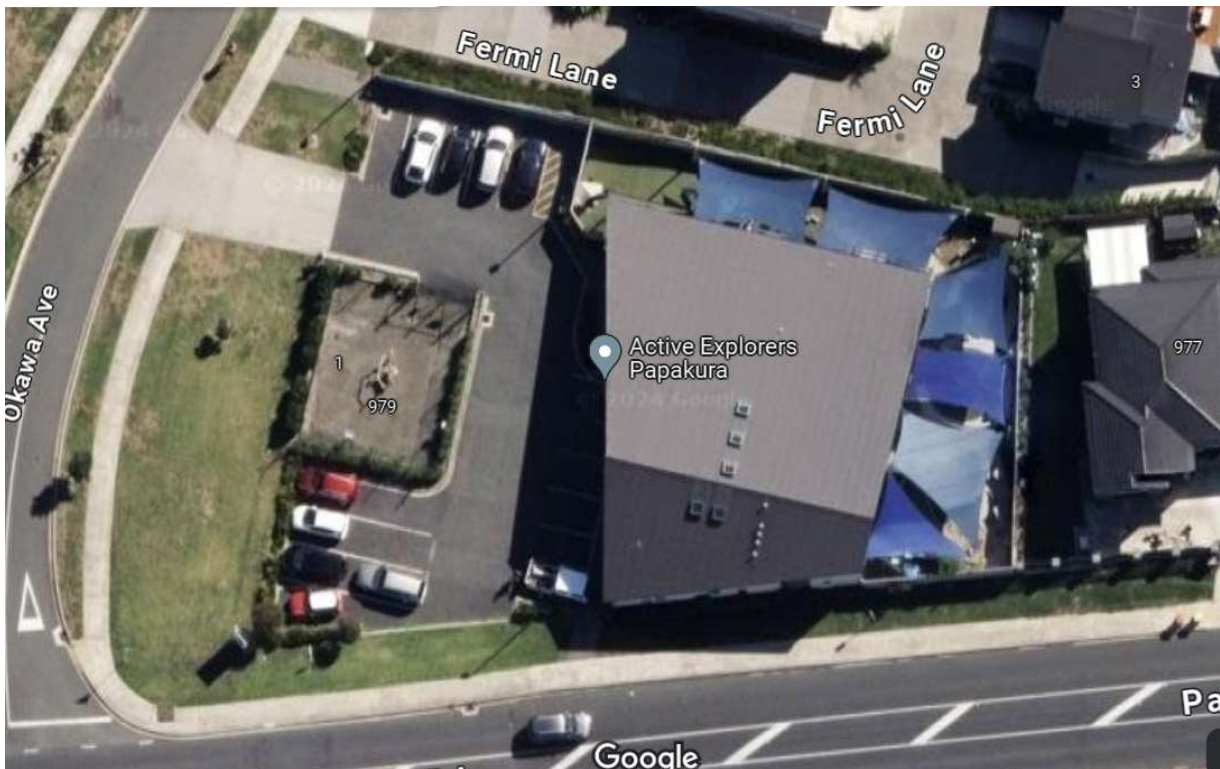
24. Following a review of the s42A report, I support the recommendation to accept Firstgas submission 304.32 and retain the rule as notified.

INF-R7: Structures associated with infrastructure including: 1. Substations (including switching stations); 2. Transformers; 3. Gas transmissions and distribution structures; 4. Energy storage batteries not enclosed by a building; and 5. Communication kiosks

25. Following a review of the s42A report, I support the recommendation to accept further submission FS97.9 and reject submission 202.17 from Avryl Bramley seeking to amend the rule so it is not a permitted activity, with mandatory notification required.

INF-R23: Sensitive activities, including the erection of buildings for sensitive activities, within the Gas Transmission Pipeline Corridor

26. The establishment of sensitive activities within close proximity to the Gas Transmission Network has the potential to create adverse effects on its effective and efficient operation, maintenance, and upgrading. This includes the ability for Firstgas to access the network.
27. In respect of Firstgas submission [304.33], residential activities were proposed to be excluded from the 60m buffer sought for other sensitive activities.
28. This aligns with the specific description of “Sensitive Use” within AS2885.6:2018 as land where the consequences of a failure may be increased because it is developed for use by sectors of the community who may be unable to protect themselves from the consequences of a pipeline failure. This includes schools, hospitals, aged care facilities and prisons. Sensitive use location class shall be assigned to any portion of pipeline where there is a sensitive development within a measurement length.
29. For clarity, the gas transmission ‘sensitive use’ definition seeks to protect those that cannot self-rescue, for example, young children, elderly persons, and those hospitalised. Limiting crowds gathering in this area, for example in community and educational facilities, reduces the likelihood of mass fatality.
30. An example of the issues faced when sensitive activities are located in proximity to the Gas Transmission Network is shown below:
 - (a) The images below, taken from Google Maps, show the location of a Childcare Centre adjoining a Gas Transmission Asset (Clevedon Main Line Valve (MLV) Station).



(b) This facility was established without consultation with Firstgas and has compromised our ability to effectively and efficiently operate maintain and upgrade the network, including works being required to be completed overnight and during weekends. Access to the asset has been compromised at times by through inappropriate vehicle parking.

31. Firstgas accept the need to adopt a pragmatic approach and are not intending to prohibit development within the vicinity of the pipelines, but rather seek the opportunity to be able

to assess potential development activities to ensure that the appropriate modifications can be made to minimise any identified risk.

32. As such, Firstgas sought the separation of residential activity, from more sensitive activities, to provide a lower setback requirement for individual households who generally have a greater ability to protect themselves/evacuate during any pipeline emergency.

33. Following a review of the s42A report, I support the recommendations made to accept Firstgas submission 304.33 in part, and to amend Gas Transmission Pipeline to reference Gas Transmission Network, and to amend the planning maps to detail the Gas Transmission Network, including a 60m buffer area.

6.3 New Rules - Matters raised by submitters

34. In respect of the question raised by the Reporting Planner within their s42A report, the reasoning behind the separation of residential activity from other sensitive activity has been outlined in paragraphs 27 – 32, above. However, Firstgas is supportive of the recommendation that this separation is not included by way of a separate rule, and concur with the rejection of submission 304.17, with residential activity being captured as part of the overall sensitive activity rule, INF-R23.

Section 42A Report Recommendations – Infrastructure – Part 2 Sub-chapters

INF-NFL-R48: Operation, maintenance and repair of existing infrastructure within outstanding natural features and outstanding landscapes, special amenity landscapes or identified ridgelines and hilltops (including within the coastal environment)

35. Following a review of the s42A report, I support the recommendations made to accept Firstgas submission 304.34 and retain the rule as notified.

INF-NFL-R49: Upgrading of existing infrastructure within the special amenity landscapes or identified ridgelines and hilltops

36. Following a review of the s42A report, I support the recommendations made to accept Firstgas submission 304.34 and retain the rule as notified.

INF-NFL-S21: Earthworks

37. Following a review of the s42A report, I concur with the recommendations made to reject Firstgas submission 304.36 and retain the rule as notified.

INF-NH-R58: New underground infrastructure (including customer connections), and maintenance or upgrading of existing underground infrastructure in Natural Hazard and Coastal Hazard Overlays

38. Following a review of the s42A report, I support the recommendations made to accept Firstgas submission 304.37 and retain the rule as notified.

Conclusion

39. In summary, the Gas Transmission Network provides for peoples' and communities' well-being and health and safety. These matters are at the heart of sustainable management as defined by Section 5 of the RMA.

40. I consider the relevant provisions as recommended in the Section 42A report, inclusive of my recommended changes to provide more certainty, will appropriately:

- (a) recognise Firstgas' transmission network and pipeline by providing appropriate provisions throughout the plan and set a platform to recognise the strategic importance of this network to Wellington City;
- (b) provide for the safe, efficient and effective operation, maintenance, replacement, upgrade, removal and/ or development of the network, as well as the ability to access that network;
- (c) give effect to the relevant policies of the RPS; and
- (d) will ensure that the Regionally Significant Infrastructure is protected from subdivision and future development through the consenting process - allowing the Firstgas Gas Transmission Network to operate efficiently and safely.

Pamela Jane Unkovich

27 May 2024