

From: [Hanno van Helsdingen](#)
To: [Saritha Shetty](#)
Cc: [Gerry Glynn](#); [Jo Michalakis](#)
Subject: RE: Hearing #6: Infrastructure - Council Officers" Rebuttal Evidence
Date: Wednesday, 16 September 2026 9:58:21 am
Attachments: [image001.png](#)
[image002.png](#)

Hi Saritha,

Thank you for circulating the rebuttal evidence and for the consideration given to Wellington Electricity's(WELL) submission and planning evidence.

Following review of the rebuttal evidence, I confirm that Wellington Electricity will no longer be attending Hearing Stream 6 on 23 September.

Since WELL filed its evidence, there has been a material change in the statutory context. The Resource Management (National Environmental Standards for Electricity Network Activities) Amendment Regulations 2026 (SL 2026/260) were notified in the Gazette on 10 September 2026 and come into force on 8 October 2026.

<https://www.legislation.govt.nz/secondary-legislation/pco-drafted/2026/260/en/latest/#LMS1663485>

The new electricity distribution provisions directly address the only substantive matter WELL intended to pursue at the hearing.

Regulation 56(1) provides that altering, relocating or replacing an existing overhead distribution line is a permitted activity where the applicable conditions are met. Regulation 56(8) requires a relocated or replaced existing distribution line to remain within the same planning zone and be less than 10m from its location as at 8 October 2026, subject to the specified exceptions. The definition of "distribution line" also includes support structures, and "support structure" means a tower or pole.

Similarly, regulation 57(1) provides the permitted activity framework for altering, relocating or replacing an existing cabinet, and regulation 57(7) applies the same planning-zone requirement and less than 10m relocation threshold, subject to the specified exceptions.

We note that the rebuttal evidence continues to recommend retaining the 5m relocation threshold in INF-S2. However, the regulatory context has now materially changed. The less than 10m approach referred to in WELL's evidence has now been confirmed in the gazetted NES-ENA.

Regulation 72 expressly provides that a district-plan rule applying to electricity distribution may be more lenient than the relevant NES-ENA provisions, subject to the stated exceptions. It does not expressly provide for more stringent district-plan rules in relation to

regulations 56 and 57. Section 43B of the RMA provides that a more stringent plan rule only prevails over an NES where the NES expressly allows a more stringent rule. Section 44A also requires conflicts between plan rules and national environmental standards to be removed in accordance with that section once the standard comes into force. Therefore, WELL considers that retaining the 5m threshold would serve no practical regulatory purpose and would create an unnecessary inconsistency with the now-gazetted national standard.

In these circumstances, the sole substantive matter that WELL intended to address orally at the hearing has effectively been resolved through the NES-ENA. We therefore do not consider there is any benefit or need for WELL attending the hearing simply to repeat the position already contained in its written evidence.

WELL, is not withdrawing submission point 415.9a. We continue to request that the Panel amend INF-S2(1) to reflect the national approach or otherwise ensure that the provision is consistent with the NES-ENA and does not purport to impose a more restrictive 5m threshold on electricity distribution activities regulated by the NES.

We would appreciate it if WELL could therefore be removed from the hearing schedule.

Thank you again for your assistance through the process.

Kind Regards,

Hanno van Helsdingen
Senior Planning Consultant

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From: Saritha Shetty <Saritha.Shetty@huttcity.govt.nz>

Sent: Tuesday, 15 September 2026 5:26 pm

Subject: Hearing #6: Infrastructure - Council Officers' Rebuttal Evidence

Dear Submitters,

Council Officers' Rebuttal Evidence

The Council Officers' **Rebuttal Evidence** for the Infrastructure Hearing for the Proposed

Lower Hutt District Plan is now available.

Read the rebuttal evidence on our website at [Hearing Stream #6 – Infrastructure](#)
Under Council Reporting Officer Materials – Rebuttal Evidence

If you need any further details or clarification, please feel free to reach out.

Thanks

Ngā Mihi | Kind regards,

Saritha Shetty

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