

BEFORE THE INDEPENDENT HEARINGS PANEL FOR THE PROPOSED WAIKATO  
DISTRICT PLAN

**IN THE MATTER OF**      the Resource Management Act 1991

**AND**

**IN THE MATTER OF**      Proposed Waikato District Plan, Stage 1: Hearing 18 – Rural  
Zone

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**RICHARD MATTHEWS – RESPONSE TO COUNCIL REBUTTAL**

28 September 2020

**FOR GENESIS ENERGY LIMITED SUBMITTER #924**

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1. In this statement I provide a response to some of the matters included in the Section 42A Report, Rebuttal Evidence, for Hearing 18: Rural Zone – Landuse prepared by Jonathan Clease, dated 24 September 2020 (the “Rebuttal Statement”) to provide some clarification and to provide the information requested in that report.
2. In paragraph 204 of the Rebuttal Statement Mr Clease notes that he agrees with my evidence on behalf of Genesis that “*Objective 5.5.1(a)(ii) should simply refer to ‘infrastructure’ rather than ‘network infrastructure’*”. I note that Policy 5.3.2 “Contributing elements to rural character and amenity values” which Mr Clease recommends also refers to “network infrastructure” in clauses (b)(iii) and (c). I consider that the word “network” should be deleted from these clauses for consistency.
3. In paragraph 206 of the Rebuttal Statement Mr Clease invites “*the submitter to provide a map showing where exactly they think the setback should apply, along with the text amendments they are seeking to Rule 22.3.7.2*” and notes that “*if such setbacks are ultimately included in the Plan, then reference should be included in Policy 5.3.7(b) to ‘Heavy Industrial Zones’*”.
4. I attach two maps showing the setback that I proposed in my primary evidence statement. These two maps are based on:
  - (a) The setback being located within the Rural Zone only;
  - (b) The setback only applying to areas north of Hetherington Road;
  - (c) The setback area not including any existing dwellings; and
  - (d) The setback being located no greater than 500 metres from the Huntly Power Station site.
5. The two maps attached show:
  - (a) The proposed setback overlying an aerial photo of the Huntly Power Station Site and surrounding area; and
  - (b) The proposed setback overlying Planning Map 20.1 Huntly West.
6. To provide for the proposed setback, I consider that Rule 22.3.7.2 should be amended as follows:

**Rule 22.3.7.2 – Building setback – sensitive land uses**

P1	(a) Any building for a sensitive land use must be set back a minimum of: (i) 5m from the designated boundary of the railway corridor ... (x) not located closer to any wind turbine within the Te Uku wind farm that the 40 dBA L <sub>95</sub> noise contour shown on the planning maps.  <u>(b) Any building for a sensitive land use must not be located within the Huntly Power Station setback area shown on Huntly West Planning Map 20.1.</u>
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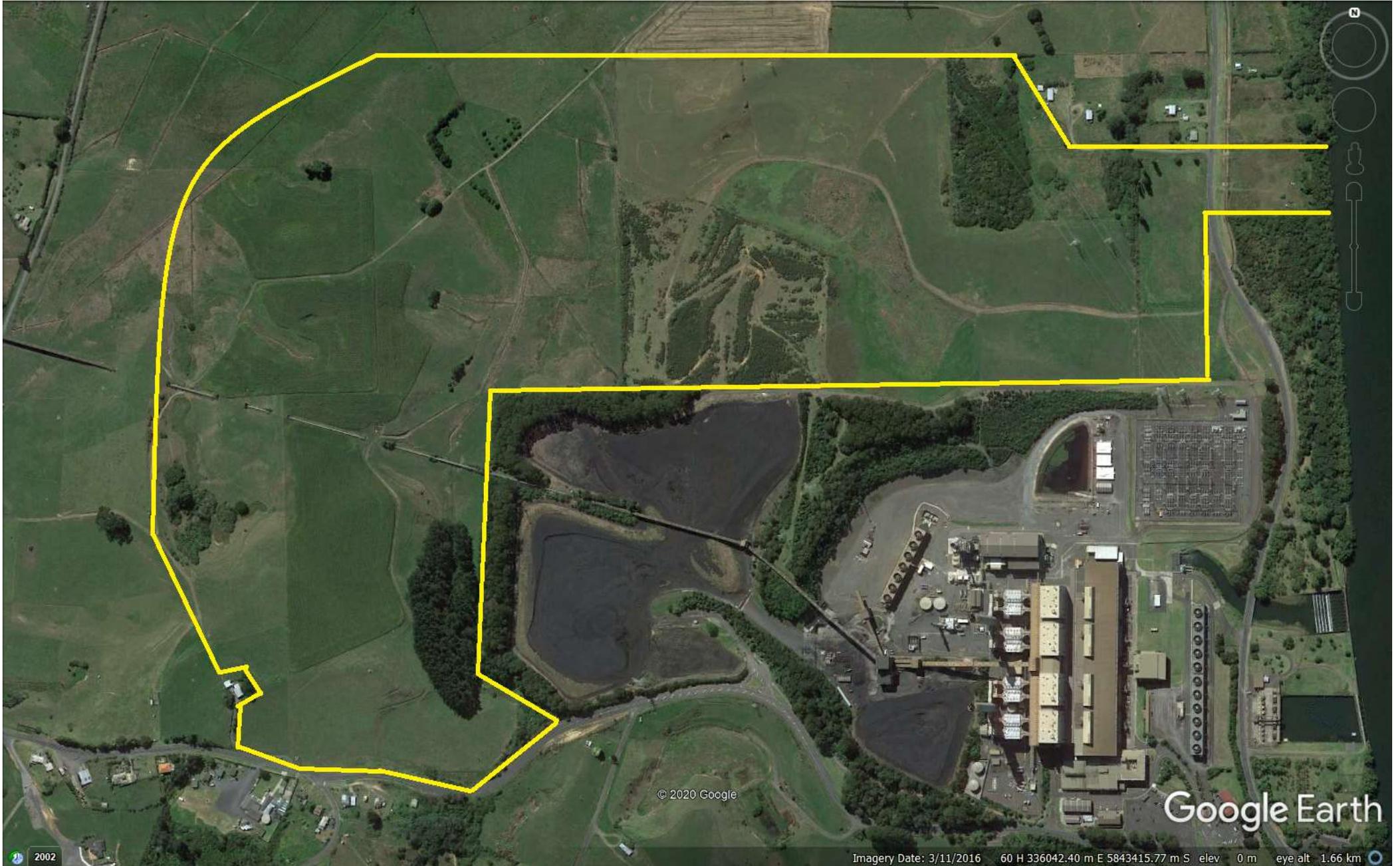
7. Mr Cleese notes in Paragraph 206 that Policy 5.3.7(b) should be amended to refer to heavy industrial zones. As the setback I propose above only applies to the Huntly Power Station site, Policy 5.3.7(b) does not need to refer to heavy industrial zones generally. The proposed wording for Policy 5.3.7(b) includes the following (my emphasis):

*...achieves adequate separation distances and/or adopts appropriate mitigation measures to mitigate potential reverse sensitivity effects on lawfully-established productive rural activities, intensive farming, rural industry, **strategic infrastructure**, extractive activities, or Extraction Resource Areas.*

8. In my opinion, the reference to “strategic infrastructure” in Policy 5.3.7(b) provides for the Huntly Power Station site and provides sufficient reference to the proposed setback adjacent to the site.

Richard Matthews

28 September 2020



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Imagery Date: 3/11/2016 60 H 336042.40 m E 5843415.77 m S elev 0 m eye alt 1.66 km

