

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 22 –
Infrastructure and Energy

RICHARD MATTHEWS – HEARING 22 SPEAKING NOTES

15 October 2020

FOR GENESIS ENERGY LIMITED SUBMITTER #924

1. My experience and qualifications are set out in my evidence statements for the Proposed Waikato District Plan hearings.
2. The submissions and further submissions made by Genesis in respect of the Infrastructure and Energy Chapter of the PDP seek provision for the ongoing operation, maintenance and upgrading of the nationally significant Huntly Power Station as Regionally Significant Infrastructure and a Regionally Significant Industry. I generally agree with the section 42A Report (“**s42A Report**”) for the Infrastructure and Energy chapter, which recommends acceptance of several Genesis submission and further submission points.
3. Mr Mackie recommends in the s42A Report that a definition of Energy Corridor be included in the Waikato District Plan, which I agree with. I recommend a minor adjustment to the proposed definition to include “coal” to ensure that the definition includes the activities that the energy corridor shown in the Huntly planning maps provides for. Mr Mackie has agreed with this correction in his rebuttal evidence.¹
4. I recommended changes to the s42A Report version of Policy 6.1.3 – Technological Advances that Mr Mackie recommended to reinstate reference to infrastructure. Mr Mackie has agreed that infrastructure should be included in Policy 6.1.3.² However, I note that the wording of Policy 6.1.3(a)(i) should be amended from the wording Mr Mackie provides in his rebuttal evidence (“**s42A Rebuttal Evidence**” paragraph 81) as per my evidence in chief so that it makes grammatical sense:
 - (a) *Provide flexibility for infrastructure operators to adopt new technologies that:*
 - (i) *Improve access to, and **enable the** efficient use of, infrastructure, networks and services...*
5. In her evidence for Horticulture New Zealand,³ Ms Wharfe disagrees with the wording recommended by Mr Mackie for Policy 6.1.7 in the s42A Report. I disagree with Ms Wharfe and agree with the wording Mr Mackie has proposed. In my opinion, the wording that the s42A Report author proposed and I have supported⁴ for Objective 6.1.6 and Policy 6.1.7 (seeking to avoid reverse

¹ Paragraphs 77 and 80, Section 42A Report, Rebuttal Evidence, Hearing 22: Infrastructure and Energy, Report prepared by Trevor Mackie dated 13/10/20.

² Ibid, paragraphs 78 and 81.

³ Paragraphs 5.32 – 5.47, Statement of Evidence by Lynette Pearl Wharfe for Horticulture New Zealand, 29 September 2020.

⁴ Mr Mackie has recommended a minor correction to Policy 6.1.7 in section 6 Renewable energy generation facilities and meteorological facilities of his Rebuttal Evidence, consistent with deleting the word “its” I proposed in my evidence in chief.

- sensitivity effects) is consistent with reading the Waikato RPS provisions collectively and applying those provisions to the infrastructure provisions in the Proposed Waikato District Plan, rather than the wording Ms Wharfe proposes which seeks only to minimise the potential for reverse sensitivity effects on infrastructure.
6. Mr Mackie has not commented in the s42A Rebuttal Evidence on my evidence in chief in respect of:
 - (a) Policy 6.1.9 – Environmental effects, community health, safety and amenity
 - (b) Objective 6.3.6 – Objective – Non-renewable energy
 - (c) Policy 6.1.17 – Regionally Significant Infrastructure
 7. I recommend changes to Policy 6.1.9 to avoid any implication that the Council may “require” the “operation, maintenance, repair, replacement, upgrading and removal of infrastructure” in order to “avoid, remedy or mitigate adverse effects on the environment, community health, safety and amenity”, irrespective of the scale or significance of the effect of doing so.
 8. I disagree with Mr Mackie (the s42A Report author) that the energy resource referred to in Objective 6.3.6 includes “*both the resource from which the electricity is obtained and the electricity generator resource*“. I consider that the objective should be amended to explicitly reference electricity generation.
 9. I agree with Mr Mackie that there would be benefit of including a policy applicable to Regionally Significant Infrastructure in the PDP . However, I consider that the benefits that can be gained from infrastructure do not only derive from development and use, and that construction, operation, maintenance, repair, replacement and upgrading of infrastructure should also be referenced in the proposed Policy 6.1.17, consistent with the wording used in Objective 6.1.1, Policy 6.1.2, Objective 6.1.6 and Policy 6.1.7.
 10. Genesis sought that Rule 22.6 for the Huntly Power Station Coal and Ash Management Area be amended to include specific provision in the permitted activity rules for up to 85 heavy vehicle movements per day for transport of ash away from the ash management area within the Rural Zone. I have discussed this in my Rural Zone evidence but observe that this could also be achieved within Rule 14.12.1.4(1)(d) and have recommended relevant wording.

Richard Matthews

15 October 2020