

**Before the Hearing Panel Appointed by Wellington City Council
to Hear Submissions on the Proposed Wellington City District Plan**

In the matter of: **the Resource Management Act 1991**

And: **Submissions and Further Submissions
Lodged on the Proposed Wellington City
District Plan by Meridian Energy Limited**

**Supplementary Statement of Evidence of Christine Anne
Foster**

Called by Meridian Energy Limited

**HEARING STREAM 9 – RENEWABLE ELECTRICITY
GENERATION AND INFRASTRUCTURE PROVISIONS**

11 June 2024

1. Introduction

1.1. This supplementary statement of evidence responds to the Statements of Supplementary Planning Evidence of Joe Jeffries and Tom Anderson dated 4 June 2024. I prepared a statement of evidence for Hearing Stream 9, addressing submission points made by Meridian Energy Limited. My qualifications and evidence are as summarised in my statement of evidence to Hearing Stream 1 (dated 3 February 2023) and I reiterate my commitment to abide the Code of Conduct made in both statements of evidence.

2. Plan Structure

2.1. Mr Jeffries and Mr Anderson take a different view to mine on whether further amendments are required to clarify whether the policies and rules of other chapters apply to REG and Infrastructure managed under the REG and INF chapters. I have addressed the matter in my statement of evidence and do not resile from that.

2.2. One of the amendments I proposed is to the introduction to the CE Coastal Environment Chapter. I appreciate that the CE Chapter isn't directly under scrutiny in Hearing Stream 9 but it leaves the question of when this suggested wording is to be considered. Will that be at the 'wrap-up' hearing?

3. Provision for Upgrading Large Scale REG

3.1. In his supplementary statement (paragraphs 15 to 27) Mr Jeffries acknowledges that he has not 'merged' Policies REG-P8 and REG-P11. Rather he has proposed deleting Policy REG-P8 which provides for upgrading of large scale REG activities. Mr Jeffries argues that he has replaced it with a 'provide for' approach by changing Policy REG-P9 so that it applies to all large scale REG activities (existing upgrades and new REG) **outside** overlay areas. His proposed new Policy REG-PX covers both upgrading and new large scale REG activities **inside** overlay areas.

3.2. Policy REG-P9 is indeed a 'provide for' policy, and it requires consideration of operational need or functional need to locate where the REG resources are available. However, Policy REG-P9 is only theoretically available for upgrading Meridian's existing wind farms. That is because the policies do not address the buildings, structures and other physical changes within a wind farm that could affect the overlays. The policies capture the whole entity of the wind farm, including all land that is not occupied by any REG structures or activities.

3.3. The definition of 'large scale REG activities' means 'the land, buildings, substations, wind turbines, structures, underground cabling earthworks, access tracks, roads, paved areas, transmission networks'. The combination of the definition and the policies does not distinguish the unoccupied land from the REG buildings, structures and activities located within the landholding.

- 3.4. This means that Policy REG-PX is potentially problematic as currently worded, because the definition and therefore the policy applies even to land that is not actively used for REG structures or activities. This is problematic also in the suggested alternative wording I had proposed for a re-worded Policy REG-P8 (in referring to Policy REG-PX).
- 3.5. Although the existing wind farm buildings, structures, roads and transmission facilities are generally not located within ONFLs, SNAs or within high natural character areas within the coastal environment, there are unoccupied areas of land within the wider wind farm landholding that are within these overlays. Many of the structures and roads are within identified areas of significance to Māori.
- 3.6. I accept that Policy REG-P8 as publicly notified does not incorporate the effects management approach of the NZCPS in relation to ONFLs, SNAs and areas of high natural character in the coastal environment. I support inclusion of those more stringent requirements into Policy REG-P8. I agree that the way Mr Jeffries has expressed the various effects management directions in his proposed Policy REG-PX reflects the direction of the NZCPS in relation to the coastal environment. I support that. I do not support it in relation to areas of unoccupied land within a wider wind farm that are not actively used or proposed to be used for REG activities. Applying the policy in this way would do the opposite of 'provide for' REG upgrading which the publicly notified PDP intended.
- 3.7. In my opinion, if Policy REG-PX is adopted, the 'only allow' direction should apply only to new and altered buildings, structures, access tracks, roads, transmission facilities and earthworks that are proposed to be located within the overlay areas. The 'only allow' direction should not apply to unoccupied areas of land within the wider wind farm. It should also avoid creating an opportunity for re-litigation of structures and activities already authorised by consents.
- 3.8. I recognise that the problem I have outlined here is equally a problem for the reference to Policy REG-PX that I had suggested in my re-worded Policy REG-P8 in my statement of evidence. My view is that this problem can be addressed by making the following amendment to proposed Policy REG-PX (the red font is text proposed by Mr Jeffries, the blue font is my additional suggestion):

REG-PX Large scale renewable electricity generation activities within Specified Overlays

'Only allow new or altered buildings, structures, access tracks, roads, transmission facilities and earthworks for the purpose of large scale renewable electricity generation activities in the General Rural Zone in the Overlays specified below where:

1. If located within or on any sites, areas, items or features identified in SCHED1 - Heritage Buildings, SCHED2 - Heritage Structures, SCHED3 - Heritage Areas, SCHED4 - Archaeological Sites, any significant adverse effects are avoided and any other adverse effects are avoided, remedied or mitigated, while having regard to the matters in HH-P8, HH-P12, HH-P15, HH-P21 and HH-P22;
2. If located on a site identified in SCHED7 - Sites and Areas of Significance to Māori, any significant adverse effects are avoided and any other adverse effects are avoided, remedied or mitigated, while having regard to the matters in SASM-P4 and SASM-P5;
3. If located on a site identified in SCHED8 - Significant Natural Areas: ... ' (etc etc)

3.9. A similar amendment would also need to be made to Policy REG-PX if the Panel prefers my suggestion of retaining a re-worded Policy REG-P8.

3.10. Mr Jeffries has retained Policy REG-P11 (recognising recognises the benefits of upgrading REG). I support retention of Policy REG-P11 if Policy REG-P8 is to be replaced by Policy REG-PX as proposed by Mr Jeffries.

3.11. I note that Mr Jeffries has imported into clause 9 of proposed Policy REG-PX, the Policy REG-P9 list of effects to be considered. Meridian did not take issue with that list and I support its inclusion.

4. Other Matters

4.1. While there are some other matters Mr Jeffries has not agreed with me, I am content that I have addressed these in my 27 May 2024 statement of evidence and do not propose to repeat or elaborate on those.



Christine Foster
11 June 2024