

Catherine Clarke, Boffa Miskell Limited for Meridian Energy Limited ('Meridian')

Chapter 3 - Infrastructure Energy and Waste, Proposed Horizons One Plan

1. In Section 1.0 (Introduction) of my evidence, I outline my background and experience. In particular I am a qualified planner and a full member of the New Zealand Planning Institute. I have had experience in the development of regional policy statements and regional plans under the RMA. (*refer Paragraphs 1.1 to 1.5*).
2. In Section 2.0 (Scope of Evidence) of my evidence, I explain I have been engaged by Meridian to provide a planning analysis of Chapter 3 of the Plan. The main findings of this analysis and the principal matters of concern to Meridian as raised in submissions lodged are outlined in my evidence (*refer Paragraph 2.2*). I also draw to the Hearing Committee's attention, (*refer Paragraph 2.6*) that a revised version of Chapter 3 of the Plan, amended in accordance with the relief sought in the submissions lodged by Meridian and my recommendations is attached. (*Refer Attachment 1*).
3. In Section 3.0 (*refer Paragraphs 3.1 to 3.3*), I comment on the appropriateness of Chapter 3 giving special recognition to the use and development of renewable energy in the Plan, and that I consider that regional policy statement and plans are important methods by which the Government's policy directions on renewable energy and energy efficiency can be implemented.
4. In section 3, (*refer Paragraph 3.4*), I raise concern that the section 42A report seems to imply energy generators including Meridian are seeking "a permissive regime that would limit the weighing of environmental values in environmental assessments." under the RMA. I state that I consider such an approach would be inappropriate and that the submissions lodged by Meridian would not result in such an outcome. I state that the One Plan (and in particular Chapter 3) should provide direction to regional and district planning processes on how to weigh competing values and uses for natural and physical resources in the region – not limit the weighing up of the matters. (*refer Paragraph 3.5*). Further in terms of renewable energy, Chapter 3 should enable energy generation from renewable resources to a greater extent than other resource use activities, while ensuring any proposals for energy generation from renewable resources continue to promote the sustainable management of natural and physical resources of the region. (*refer Paragraph 3.6*).

5. In section 5.0 (Section 3-1, Scope and Background) I advise that Meridian no longer seeks that "renewable energy" be excluded from the general definition of 'infrastructure' in Chapter 3 (*refer Paragraph 5.2*). However the inclusion of a description of 'renewable energy' in a manner consistent with the RMA, is recommended as being included in Section 3.1 (*refer Paragraph 5.4*).
6. Section 5.0 (Section 3.1, Scope and Background) of my evidence recommends that the 'renewable energy' section of Section 3.1, Scope and Background, be expanded to more fully and accurately describe the range of barriers facing the use and development of renewable energy generation facilities (*refer Paragraph 5.5*).
7. Further Section 5 of my evidence (*refer Paragraph 5.7*) also recommends further changes to Section 3.1, Scope and Background to more fully explain the benefits of the generation of energy from renewable energy and the reasons why providing for renewable energy generation facilities is a matter that should be given specific regard to in the Plan. These recommended additions to Section 3-1 are set out in *Paragraph 5.8*.
8. Section 6.0 (Issue 3-1, Infrastructure and Energy) recommends a range of new Issues be included in section 3.1. Infrastructure and Energy of the Plan (*refer Paragraph 6.4*). The reasons I give for recommending including these new issues in Chapter 3 include:
 - The single issue in Chapter 3 does not address the wide range of issues relating to the use and development of infrastructure including renewable energy. (*refer Paragraph 6.2*).
 - That some of the objectives and policies in Chapter 3 can not be easily linked back to the matters raised in Issue 3.1. (*Refer Paragraph 6.3*).
9. Section 7.0 (Objective 3-1, Infrastructure and energy) of my evidence discusses the reasons why I support Meridian's submission seeking amendment to Objective 3-1 such that it refers to promoting and enabling energy generation from renewable energy resources and that a separate objective for renewable energy be included in Chapter 3 (*refer Paragraphs 7.2 to 7.4*). These reasons include:
 - S.5 of the RMA states the purpose of the Act is to 'promote' the sustainable management of natural and physical resources and I consider promoting and enabling the use and development of renewable energy resources is consistent with the overall purpose of the RMA (*refer Paragraph 7.2*).

- the RMA, in particular section 7(j) gives special recognition to renewable energy that differentiates it from other forms of infrastructure in the Act. (*Refer Paragraph 7.3*).
- Section 3.1 (Scope and Background) already identifies it as a specific matter, separated from Infrastructure. (*Refer Paragraph 7.3*).
- there is a separate policy for 'renewable energy' and it is appropriate to have a corresponding 'parent' objective. (*Refer Paragraph 7.3*).

My recommended amendments to Objective 3.1 are set out in my evidence (*Refer Paragraph 7.5*).

10. Section 8 (Policy 3-2, Adverse effects of other activities on infrastructure) of my evidence, seeks that Policy 3.2 be amended to also require decision makers to take into account potential reverse sensitivity effects, not solely on existing infrastructure but be expanded to include consideration of effects on implemented resource consents for infrastructure, where there is a reasonable likelihood those consents will be implemented. (*Refer Paragraphs 8.2 and 8.3*).
11. Section 9 (Policy 3.3, Adverse effects of Infrastructure on the Environment) of my evidence raises concerns about Policy 3.3. In particular:
 - Policy 3.3 imposes a restrictive 'avoid' approach on infrastructure including renewable energy generation facilities, in managing adverse effects on the resources identified in the policy, which appears inconsistent with Objective 3.1 which refers to recognising and enabling the development of renewable energy resources (*Refer Paragraph 9.2*).
 - It imposes a more restrictive management regime on how effects on the resources listed in clauses (i) to (v) of Policy 3.3 are to be managed than corresponding policies in the relevant chapters. (*Refer Paragraph 9.3*).
 - Policy 3.3 unnecessarily duplicates other policy provisions in the resource based chapters of the Plan creating the potential for uncertainty and confusion, which is inconsistent with stated principals for the One Plan. (*Refer Paragraph 9.4*).

My evidence states that I agree with Meridian's request that Policy 3.3 be deleted.

12. Section 10 (Policy 3-4, Renewable energy) of my evidence supports the changes recommended to Policy 3.4 in the section 42A report. However, further amendments are recommended to refer to location, operational and technical factors that constrain the use and development of new renewable energy generation facilities. (*Refer Paragraph 10.3*).
13. Section 11 (Section 3-5, Methods) of my evidence raises concerns with Section 3.5 including:
 - The methods should clearly set out both the regulatory and non-regulatory methods adopted, to implement the objectives and policies in Chapter 3. (*Refer Paragraph 11.3*)
 - Concern that the only non-regulatory methods included in section 3.5 are methods that can be linked to outcomes in the LTCCP. (*Refer Paragraph 11.4*).

My evidence recommends additional non-regulatory methods be included in Section 3-5, Methods that relate to renewable energy and energy efficiency.
14. Section 12 (Section 3-6, Anticipated Environmental Results) of my evidence concurs with the comments in the Section 42A report that "*if effective it is expected that resource users (infrastructure and energy) will find the provisions of the plan more certain and their activities provided for to a greater extent than other resource use activities, especially if they are nationally or regionally important*". I recommend that amendments are therefore made to Section 3-6, consistent with these comments. (*Refer Paragraphs 12.2 and 12.3*).
15. Section 13 discusses Section 3.7.1 Explanation and Reasons, (Infrastructure and energy) and seeks this section be expanded to give appropriate recognition to the outcomes sought in Objective 3-1 and Policies 3.1 to 3.5. (*Refer Paragraph 13.2*).
16. In Section 14 (Conclusion) of my evidence, I commend a revised version of Chapter 3 to the Hearings Committee for their consideration (*Refer Attachment 1*).

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Boffa Miskell Limited

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