

**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**

**Statement of Evidence of Christine Anne Foster
Called by Meridian Energy Limited**

**HEARING STREAM 12
WRAP-UP**

23 October 2024

1. Introduction

- 1.1. My name is Christine Anne Foster. I am a Planning Consultant and sole director of CF Consulting Services Limited, based in Wellington. I hold a Bachelor of Regional Planning and have worked as a resource management planner in New Zealand for over 40 years.
- 1.2. This statement of evidence is within my area of expertise as a resource management planner, except where I state that I rely on the evidence of others or evidence presented in the Council's section 42A reports. I have read the Code of Conduct for Expert Witnesses set out in the Environment Court 2023 Practice Note (**Code**). While this hearing is not a hearing before the Court, I am aware of the obligations imposed on expert witnesses by the Code and agree to comply with the Code of Conduct. I have prepared this statement of evidence in accordance with the Code. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- 1.3. My qualifications and resource management experience are set out in my statement of evidence to Hearing Stream 1 dated 3 February 2023.
- 1.4. I have been asked by Meridian to consider the analysis and recommendations of the Council's section 42A report and the Appendix 'A' attachments for Hearing Stream 12, in light of matters previously raised by Meridian in evidence to earlier Hearing Streams. I am authorised by Meridian to present this statement of evidence to the Panel.

2. Information Relied On

- 2.1 In preparing this statement of evidence I have read:
 - (a) The section 42A report dated 9 October 2024 prepared by Jamie Sirl and the Appendix 'A' suite of recommended amendments to PDP provisions;
 - (b) The Hearing Panel's Minutes, including Minute 57;
 - (c) The rebuttal statements of WCC Reporting Officers to earlier Hearing Streams including their recommended amendments to provisions (in particular those to Hearing Streams 8, 9 and 11).
- 2.2 I have also re-read my evidence and supplementary statements to earlier Hearing Streams.

3. Scope of Evidence

3.1 This statement of evidence addresses:

- (a) the issues I raised in earlier Hearing Streams about the relationship between the REG Chapter and other PDP chapters (plan integration); and
- (b) the definitions of ‘upgrading’, ‘regionally significant infrastructure’ and ‘repowering’.

4. Plan Integration

4.1 The explanations and recommendations in Mr Sirl’s s. 42A report are helpful. In particular:

- (a) The confirmation in paragraph 37 of the s. 42A report that the REG Chapter is intended to be a standalone chapter for REG activities and that no other rules in other chapters are intended to apply to REG activities (unless explicitly stated in the REG Chapter);
- (b) The explanation in paragraphs 32 to 34 of the s. 42A report that the REG Chapter policies (amended as he proposes in his Appendix ‘A’) will address all of the relevant indigenous biodiversity matters such that reference to the ECO Chapter policies is not required;
- (c) The explanation in paragraph 33 of the s. 42A report that the REG policies appropriately reconcile the directions given by s. 6 of the Act, the NZCPS and NPS-REG; and
- (d) Confirmation in paragraph 36 that there is scope within the relief requested by Meridian to make the amendments he recommends; and
- (e) Mr Sirl’s recommended amendments to the REG, CE (Coastal Environment), NFL (Natural Features and Landscapes) and INF (Infrastructure) Chapters.

4.2 I support the amendments Mr Sirl proposes (which include amendments recommended to earlier Hearing Streams by other reporting officers). My view is that they deliver a consistent approach, and consistent language between chapters, explaining the standalone nature of the REG Chapter.

4.3 In particular, I record my support for Mr Sirl’s recommendation to delete reference to the ECO Chapter policies from the REG policies.

4.4 Meridian’s submission and further submissions raised issues with the wording of some objectives and policies in the CE, NFL, INF and Infrastructure sub-chapters because there was

ambiguity about whether these applied to REG activities or not. The position has been clarified by Mr Sirl's s. 42A report and recommendations. I confirm that, if Mr Sirl's recommendations are adopted, the issues raised by Meridian's submission points fall away.

4.5 I note Mr Sirl's discussion (section 6.3 of the s. 42A report) that a further plan-wide review of the introductory text in all PDP chapters may be required. I am satisfied that the key areas of ambiguity for REG have been resolved but agree that further work would be beneficial.

5. Definitions

5.1 The amendment Mr Sirl recommends to the definition of 'upgrading', inserting reference to 'output', adopts the relief requested by Meridian and I confirm I support his recommended wording.

5.2 I note that the amendments Mr Sirl's recommends to the definition of 'regionally significant infrastructure' do not alter the listed REG item (which I support). I raise no issues with Mr Sirl's other amendments to the definition of 'regionally significant infrastructure'.

5.3 I agree with Mr Sirl that, in the context of the way the expression 'upgrading' is used in this PDP, there is no need for an additional defined term 'repowering'. The definition of 'upgrading' already captures this.

Christine Foster

23 October 2024