

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of the Proposed Waikato District Plan (Stage
1) – Hearing 22 - Infrastructure

**SUMMARY OF STATEMENT OF EVIDENCE OF MAGGIE ROSE BURNS FOR THE
DIRECTOR-GENERAL OF CONSERVATION**

15 OCTOBER 2020

**Counsel for Director-General of
Conservation**

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INTRODUCTION

1. My name is Maggie Rose Burns. My evidence in chief sets out my qualifications and experience.
2. This is a summary of the evidence in chief I prepared for Hearing 22 of the proposed Waikato District Plan (**Proposed Plan**).
3. My evidence covers three general matters:
 - (a) Rule 14.6.2 relating to small and community scale wind farms;
 - (b) Rules 14.6.3 and rule 14.6.4 relating to large scale wind farms;
 - (c) The D-G's further submission on Powerco's submissions relating to infrastructure in identified areas.

RULE 14.6.2 – SECTION 5 OF MY EVIDENCE

4. The Director-General submitted on Rule 14.6.2 requesting additional matters of discretion to address any potential adverse effects associated with the construction, operation and decommissioning of small-scale and community-scale electricity generation projects, particularly on avifauna and bats [585.11].
5. I disagree with the staff report which recommends that the Director-General's submission is rejected on the basis that the matter of discretion for "values, qualities and characteristics of any Identified Area" encompasses effects on special values of identified areas.
6. The definition of Significant Natural Areas only encompasses those areas identified on the planning maps. In the absence of more comprehensive mapping or the requirement for criteria-based assessment of Significant Natural Areas, there are many areas of significant habitats for bats, and potentially other fauna that are not captured under the current mapping and definition.
7. Wind farms, even those of small and community scale have the potential to have significant ecological effects, particularly on bats, as detailed by evidence by Ms Thurley.

8. There is strong policy for avoidance/protection and avoidance in preference of adverse effects on indigenous biodiversity which must be given an element of priority as per Section 6 (c) and Section 7 (d) of the Resource Management Act 1991, Policy 11 of the New Zealand Coastal Policy Statement (in the coastal environment) and Chapter 11 of the Waikato Regional Policy Statement, specifically Criteria 11A (3).
9. Policy direction also recognises the importance of renewable energy generation, particularly those of small and community scale. My proposed change below would not be inconsistent with this policy direction.
10. I disagree with the recommendation of the staff report and recommend an additional matter of discretion as follows:

f) ecology and biodiversity effects

LARGE SCALE WIND FARMS – SECTION 6 OF MY EVIDENCE

11. The Director-General submission supports notified rule 14.6.3 and notified rule 14.6.4, being the discretionary activity status for large-scale wind farms in the rural zone and the non-complying status of large-scale wind farms outside of the rural zone [585.12 and 585.13].
12. The discretionary activity status for large-scale wind farms in the rural zone is appropriate for this scale as it allows consideration of any effects associated with a proposal of this nature.
13. The non-complying activity status for large scale wind farms outside of the rural zone and within identified areas is appropriate for this scale of activity, the non-complying status offering an additional threshold for assessment.
14. I agree with the staff report recommendations to accept these submission points and I support the proposed changes as a result of Waikato District Council's submission which provides additional clarity on rules for applications in identified areas.

POWERCO FURTHER SUBMISSIONS – SECTION 7 OF MY EVIDENCE

15. The Director-General lodged further submissions in opposition to two Powerco's submissions related to Policy 6.1.10 and Rule 14.2.3 [FS1293.64 and FS1293.65].
16. The amendments sought by Powerco relate to changes which would be excessively permissive for infrastructure in identified areas.
17. The proposed wording changes would dilute the effectiveness of other policies and rules relating to protection of identified areas. I consider that the current policy and rule wording is appropriate and allows appropriate consideration of significant adverse effects on identified areas.
18. I therefore agree with the staff report recommendations to reject Powerco's submission points.



Maggie Burns

15 October 2020