

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 18 – Rural
Zone

**REBUTTAL STATEMENT OF EVIDENCE BY RICHARD
MATTHEWS**

15 September 2020

FOR GENESIS ENERGY LIMITED SUBMITTER #924

INTRODUCTION

1. My name is Richard John Matthews. I hold the qualifications of Master of Science (Hons) degree specialising in Chemistry and have been working on resource consent applications (and their former descriptions under legislation prior to the commencement of the Resource Management Act 1991) since 1979 and advising on Regional and District Plan provisions since 1991.
2. I have outlined my qualifications and experience in previous evidence for the Proposed Waikato District Plan and in my evidence in chief (“**EIC**”) for Hearing 18 – Rural Zone.
3. While not directly applicable to this hearing, I confirm that I have read the “Code of Conduct for Expert Witnesses” contained in the Environment Court Consolidated Practice Note 2014. I agree to comply with this Code of Conduct. In particular, unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

Scope of Evidence

4. I have read the statements of evidence provided by witness for the Rural Zone Hearing 18. My rebuttal evidence discusses the evidence of Anthony James Blomfield on behalf of the Dilworth Trust Board. This statement of rebuttal evidence does not restate matters addressed in my EIC but rather addresses one issue in the evidence of Mr Blomfield regarding support for educational facilities in the Rural Zone.

OBJECTIVE 5.1.1 AND POLICY 5.3.9

5. In paragraphs 6.5 – 6.8 of his evidence, Mr Blomfield discusses the changes proposed in the Hearing 18 Section 42A report for Objective 5.1.1 and Policy 5.3.9. In paragraph 6.8, Mr Blomfield states that he agrees with the intent of the recommended amendments to Objective 5.1.1 and Policy 5.3.9.
6. In paragraph 6.9, Mr Blomfield discusses the shortcomings he sees with respect to the definition of “community activities” and observes that educational facilities would not be defined as a community activity or community facility.
7. Based on this, Mr Blomfield then recommends that:
 - (a) Objective 5.1.1 (as proposed in the s42A Report) be amended by adding

- “educational facilities” to the list of activities to be provided for;
- (b) Policy 5.3.9 (a)¹ (as proposed in the s42A Report) be amended to include “educational”; and
 - (c) Policy 5.3.9 (b)(i) be amended by adding “educational facility” to the list of activities the Policy applies to.
8. The effect of these changes would be that the Rural Zone objective would be (in part) to provide for educational facilities generally in the rural environment. This would be supported by policy (5.3.4) that educational facilities are to be enabled in the rural environment. There would be no direct requirement for these activities to be related to or responding to an educational need in the rural environment.
9. I consider that the changes to Objective 5.1.1 and 5.3.9 that Mr Blomfield proposes would have wider implications than intended or assessed for the rural environment in that general recognition of, provision for or enabling of educational facilities in the Rural Zone has not been fully assessed.
10. In my opinion, the changes Mr Blomfield proposes for Objective 5.1.1 and 5.3.9 should not be made because of the potential implications they may have for the rural environment generally. I have no comment on whether other changes should be made to the Proposed Plan to accommodate the Dilworth Trust Board activities specifically.
11. I note that the s42A Reports recommends acceptance in part of Genesis Energy Limited further submissions 1345.129, 133 and 134 on submissions seeking less regulation for educational facilities in the rural environment. I agree that educational facilities related to rural activities should be provided for in the rural environment and that a restricted discretionary or full discretionary activity status for educational facilities as proposed in the s42A Report would be appropriate, subject to the reverse sensitivity and location of sensitive activity matters addressed in my EIC.

Richard Matthews

15 September 2020

¹ Mr Blomfield’s text refers to Policy 5.3.9 (b) and (c), which should in fact be Policy 5.3.9 (a) and (b) as reported in the s42A Report. Policy 5.3.9 becomes Policy 5.3.4 in the cascade presented in Schedule 4 to the s42A Report.