

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF the proposed Plan Change 1 to the
West Coast Regional Land and
Water Plan

AND submissions lodged by **Trustpower**
Limited

EVIDENCE OF NICOLA IRENE FORAN

1. INTRODUCTION

1.1 My full name is Nicola Irene Foran.

1.2 I am employed by Trustpower Limited ("**Trustpower**") as a Lead Environmental Advisor and am based at its head office in Tauranga.

1.3 I am authorised to present this evidence on behalf of Trustpower.

2. QUALIFICATIONS AND EXPERIENCE

2.1 I hold the qualifications of Bachelor of Science (Earth Science) from the University of Waikato (2004) and a Post Graduate Diploma in Arts (Planning) from Massey University (2010). I am a full member of the New Zealand Planning Institute and have over 13 years' experience in the field of environmental and resource management.

2.2 I have been employed by Trustpower since 2013. Prior to joining Trustpower, I worked as an Environmental Planning Consultant in the Hawke's Bay Region for 5 years, and amongst other roles, as an Environmental Co-ordinator with Genesis Energy for 2.5 years.

2.3 In my position at Trustpower I am responsible for, amongst other things, resource management regulatory processes which may contribute to or impact on Trustpower's existing, consented or prospective electricity generation assets and associated infrastructure. These include managing the regulatory monitoring of planning activities across New Zealand, providing input into regional and district planning activities, including Environment Court Appeal processes.

3. CODE OF CONDUCT

3.1 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note (2014) and I agree to comply with it. In that regard, I confirm that this evidence is written within my expertise, except where I state that I am relying on the evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

4. TRUSTPOWERS BACKGROUND AND INTERESTS

4.1 Trustpower is a publicly listed company and is predominantly a New Zealand owned company. It grew from the Tauranga Electric Power Board (established in 1924), and was formed as part of the deregulation of the electricity supply industry in the mid-1990s.

Trustpower now employs over 620 full time equivalent staff throughout New Zealand and Australia.

- 4.2 Until 1999, Trustpower was a vertically integrated company (that is, it had generation, local transmission, and retail interests) with a regional focus. Following the 1999 electricity reforms (introduced by the Electricity Industry Reform Act 1998), Trustpower sold its local transmission business and grew its generation and retail operations. In this respect, Trustpower's customer base grew from 50,000 to over 200,000, while its annual generation capacity increased from 300 GWh to 2,803 GWh.
- 4.3 Trustpower currently generates approximately 11% of New Zealand's total electricity supply and serves approximately 220,000 electricity customers, 32,000 gas customers and 80,000 telecommunications customers.

5. TRUSTPOWER'S INTERESTS IN THE WEST COAST REGION

- 5.1 Trustpower's interests in the West Coast Region ("**the Region**") include the following existing hydro-electric power stations (HEPS). In brief, these HEPS are:
- a) Arnold (HEPS): Located on the Arnold River and fed by Lake Brunner, the scheme has a maximum capacity of 3MW and resource consent to increase to 46MW.
 - b) Dillmans/Duffers/Kumara HEPS: Drawing water from the Big Wainihinihi, Arahura Wainihinihi, and Kawhaka catchment and discharging water to Loopline Lake (Kumara Reservoir), Kapitea Lake and Taramakau River, this scheme has a maximum capacity of 10MW.
 - c) Kaneiere Forks/McKay's Creek HEPS: Located in the Kaniere River catchment the scheme has a maximum generation capacity of 1.5MW. Trustpower has resource consent to increase the capacity of the McKay's HEPS. The resource consent permits the capacity to be increased by approximately 1MW once the equipment and conveyance system are updated.
 - d) Wahapo HEPS: Flowing from Lake Wahapo, the Wahapo Scheme was redeveloped on the existing site in 1990, with maximum capacity boosted to the present day 3.1MW. The scheme has an average annual output of 15.3 GWh.
- 5.2 All of Trustpower's schemes on the West Coast are consented under the Resource Management Act 1991 (RMA) planning framework.

- 5.3 Trustpower's power generation schemes play a vital role in ensuring a reliable supply of electricity to the West Coast Community. The electricity generated by Trustpower on the West Coast is embedded into the local network and produces enough electricity for approximately 40,000 homes.
- 5.4 Trustpower considers that renewable energy generation facilities, such as hydro-electric power stations (HEPS) produce a number of positive effects, including:
- Renewable energy production, which services both the local and national energy demands
 - Increasing diversity of New Zealand energy supply streams, thereby improving system security
 - Reducing the need for fossil fuels, thus contributing towards meeting New Zealand's climate change obligations
 - Employment (both during construction and on-going)
- 5.5 Trustpower is also committed to implementing effective management and environmental policies and procedures to ensure the operation of its generation assets achieve the best possible environmental outcomes.

6. TRUSTPOWER'S SUBMISSION

- 6.1 Trustpower made a submission on Proposed Plan Change 1 ("**PC1**") referred to in Council Officers Section 42A Report ("**Officers Report**") as submission number 45.

Rule 28

- 6.2 Trustpower supported the amendment to Rule 28, as it considered the simplification of the wording gave clarity to plan users as to what works can be undertaken and when a resource consent is required.
- 6.3 The Officers Report has recommended some amendments to condition k of the rule, and recommended an explanation be included to clarify the evidence required.
- 6.4 I consider these amendments are helpful and that a pragmatic approach has been taken in regards to evidence of damage and works undertaken.
- 6.5 Therefore I support the Officers recommendation.

Rule 52

- 6.6 Trustpower opposed the amendment to Rule 52, as it was concerned that this rule did not take into consideration the impacts of re-consenting community water supply takes on other existing consented water users.
- 6.7 The Officers Report considers that this rule is appropriate, and that it already has restrictions imposed, through the matters for control within the rule, such as the need for residual flows, the timing and rate of take, the quantity required to meet the needs of the community; or through the existing maximum volume of water authorised by the resource consent. The Officer explains that in the event of a resource consent application seeking an additional amount of water to be taken, that this would be assessed as a discretionary activity.
- 6.8 I have reviewed Scheduled 7B and there are two takes in and around Trustpower's schemes (being the Kumara and the McKays Creek HEPS). However, as I understand, these water supply takes do not affect the ability of Trustpower to exercise its resource consents regarding water take for hydro generation.
- 6.9 I am comfortable that the proposed controlled activity rule, along with the matters for control as notified, is an appropriate level of control for such existing community water supply takes.
- 6.10 Therefore I support the Officers recommendation.

Scheduled Wetland HOKP005 (Kapitea and Kumara Reservoirs)

- 6.11 Trustpower supported the proposed boundary adjustments of scheduled wetland HOKP005 as the areas marked to be deleted are not functioning wetlands and do not have any significant environmental values.
- 6.12 Trustpower sought that the proposed changes of the Scheduled Wetland HOKP005 were retained as notified in PC1.
- 6.13 The Officers Report has recommended that this boundary adjustment be accepted and that the submission point be accepted, a recommendation which I support.

7. CONCLUSION

- 7.1 For the three submission points made by Trustpower, I support the recommendations of the Reporting Officer as discussed in this evidence.

7.2 I thank the Hearings Panel for considering my statement of evidence today.



Nicola Irene Foran (BSc, PGDipArts, MNZPI)

25th May 2018