

**BEFORE THE MANAWATU – WANGANUI REGIONAL COUNCIL (HORIZONS  
REGIONAL COUNCIL)**

*In the matter of*        **The Resource Management Act 1991; and**

*In the matter of*        **The Proposed One Plan: Consolidated Regional  
Policy Statement, Regional Plan and Regional  
Coastal Plan for the Manawatu - Wanganui Region**

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**STATEMENT OF EVIDENCE BY DAVID RICHARD MURPHY  
FOR PALMERSTON NORTH CITY COUNCIL**

**CHAPTER 7 AND SCHEDULE F OF THE ONE PLAN**

**LANDSCAPES AND NATURAL CHARACTER**

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Dated: 17 April 2009

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## Introduction

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1. My name is David Richard Murphy. I hold the position of Senior Policy Planner with the Palmerston North City Council. I have the tertiary qualification of Bachelor of Resource and Environmental Planning (honours) from Massey University and I am a full member of the New Zealand Planning Institute. I have seven years planning experience, of which five years have been in local government with the Palmerston North City Council (PNCC).
2. I have read the One Plan Hearing Procedures and Directions and Requests from the Chairperson circulated to all submitters by Horizons Regional Council (Horizons) on 9 May 2008. I have read the Code of Conduct for Expert Witnesses (section 5 of the Environment Court Consolidated Practice Note 2006). I agree to comply with this Code of Conduct.
3. I have overseen PNCC's formal response to the Proposed One Plan: Consolidated Regional Policy Statement, Regional Plan and Regional Coastal Plan for the Manawatu - Wanganui Region (the One Plan) since the initial submission on the One Plan "Road Map" in October 2005. This work has included attendance at a number of meetings, including pre-hearing meetings, with Horizons officers; the preparation of PNCC's submissions on earlier One Plan working documents; and the preparation of PNCC's formal submission and further submission on the Proposed One Plan.
4. While this is my own expert planning evidence, given the strategic importance of the One Plan to PNCC's long term planning, I do refer, in parts, to the collective view PNCC has on the One Plan.
5. While PNCC has not commissioned specific landscape architecture evidence for this hearing, I have discussed the approach recommended by Ms. Gordon and Mr. Anstey with Mr. David McKenzie, Principal – Landscape Architecture, Opus International Consultants, who prepared Stage 1 of the Palmerston North City Landscape Study and was recently commissioned to complete Stage 2.

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## Structure of Evidence

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6. My evidence is structured in the following manner:
  - (a) Introduction (above)
  - (b) Structure of Evidence (this section)
  - (c) Scope of Evidence
  - (d) PNCC's interest in the Landscape sections of the One Plan
  - (e) PNCC's submission points on the Landscape sections of the One Plan

- (f) Planning Analysis
- (g) Horizons Regional Council s42A Reports

### **Scope of Evidence**

7. My evidence focuses on the recommended approach of the One Plan with respect to the management of natural landscapes and the development of wind-farms. This is the most pressing landscape issue for Palmerston North City and the subject of a large number of submissions on the landscape provisions of the One Plan.

### **PNCC's Interest in the Landscape Sections of the One Plan**

8. PNCC lodged a submission on the One Plan in August 2007. PNCC also lodged a further submission on the One Plan in December 2007.
9. PNCC has a statutory duty to the Palmerston North community to ensure the sustainable management of the City's natural and physical resources is achieved in an integrated manner. It follows that the City's interest in the Landscape sections of the One Plan rests on the following grounds:
- PNCC and Horizons are jointly responsible for a number of resource management functions under the RMA, including the management of natural landscapes. It is important that the roles, responsibilities and actions of the two authorities are clearly communicated.
  - PNCC is responsible for assessing resource consent applications for wind farms within Palmerston North City<sup>1</sup>.
  - PNCC has recently completed Stage 1 of the Palmerston North City Landscape Study, a background information document that has been prepared in anticipation of the Palmerston North City District Plan Review

### **PNCC's submission points on the Landscape sections of the One Plan**

14. The decisions requested by PNCC within its original submission on the Landscape sections of the One Plan are outlined within Appendix A.

<sup>1</sup> The most recent wind farm application, the Turitea wind farm, has been called in and will be heard by a Board of Inquiry.

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## Planning Analysis

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15. As mentioned above, my evidence focuses on the recommended approach of the One Plan with respect to the management of natural landscapes and the development of wind-farms.
16. Recent wind farm proposals in the Tararua ranges have been controversial, and have involved protracted consent hearing processes. Most wind farms attract views both in favour and in opposition. As noted in the PNCC submission on the One Plan, it will be very difficult to reconcile the positive and negative effects of wind-farms in a clear regional policy, particularly given the strong public opinion for and against wind farms.
17. The approach recommended within Horizons s42A reports can be summarised as follows:
  - a) A continuation of the current operative RPS policy through the identification of the same (or largely similar) regionally significant landscapes;
  - b) Supporting objectives and policies that guide the subdivision, use and development of the region's landscape features;
  - c) Recognition of recent national policy initiatives regarding the benefits to be derived from the use and development of renewable energy;
  - d) The mapping of regionally significant landscapes (to assist with the implementation of the One Plan but not guide any rules in Part 2 of the One Plan); and
  - e) The inclusion of nationally recognised criteria to guide the ongoing implementation of regional landscape policies and the development of local landscape policies.
18. There appears to be two key issues or questions for the Hearings panel to determine (in relation to landscapes and wind farms):
  - 1) What is the regional significance of the wind farm issue?
  - 2) Does the recommended approach sufficiently address the issue?
19. The current situation with respect to the One Plan can be summarised as follows:
  - a) Landscape management was not identified as one of the "big four" issues to be targeted by the One Plan;
  - b) Landscape management did not rank high in the public consultation undertaken by Horizons in the early stages of the development of the One Plan;
  - c) Landscape management did not attract a significant amount of resources during the early development of the One Plan;

- d) Horizons largely carried over the operative RPS approach to landscape management within the One Plan;
  - e) In developing the One Plan Horizons never sought to provide a regional solution to the wind farm debate;
  - f) The addition of maps to the One Plan to represent the regionally significant landscapes has fuelled debate over the relative significance and extent of the landscapes identified (along with increased development pressure on some landscapes);
  - g) Wind farm development at the scale approved and planned within the Manawatu was not contemplated at the time the operative RPS was developed or initial priorities were set around the development of the One Plan;
  - h) National policies regarding the benefits to be derived from the development renewable energy were not in existence during the development of the operative RPS but are relevant to the development of the One Plan;
  - i) Due to the emergence of wind farm development submitters to the landscape sections of the One Plan have more to “win” or more to “lose” than those who contributed to the development of the landscape sections of the operative RPS;
  - j) Community opposition to the ongoing development of wind farms has grown significantly during the development of the One Plan;
  - k) Horizons became aware of the growing significance of the wind farm issue during the development of the One Plan and attempted to provide regional leadership on the matter (various letters to TA’s and a Regional Mayors Forum on wind farms);
  - l) The recommended approach within the reporting officer’s s42A reports can be described as a best fit compromise taking into account the following matters:
    - The One Plan priorities and resources made available to landscape issues;
    - The current situation regarding the development of wind-farms within the Manawatu (and other parts of the region); and
    - The District Plan reviews and / or plan changes pending or underway at the local level.
20. The current situation with respect to the management of wind farms at the local level can be summarised as follows:
- a) Wind farm development at the scale approved and planned within the Manawatu was not contemplated at the time the current District Plans were developed;
  - b) Initial wind farm applications within the Manawatu were less controversial than more recent and current applications;
  - c) For various reasons District Plan Policy has been unable to be developed at a quick enough speed to provide the policy direction required;

- d) The resources that have been put into more recent and current wind farm applications far outweighs the resources that are available or have been made available to develop local District Plan policy to manage wind farms;
- e) There is a strong willingness at the highest level within PNCC to develop District Plan wind farm policy as quickly as possible;
- f) Given the level of resources that are put into individual wind farm applications, there is a strong argument that case by case assessment may be the most effective and efficient means of achieving outcomes that are consistent with the purpose of the RMA;
- g) PNCC has plans in place to develop local District Plan wind farm policy. Rightly or wrongly the makeup of this District Plan policy will be largely guided by the outcome of recent and current wind farm resource consent applications;
- h) PNCC has commissioned a significant amount of work (evidence) to assist the Board of Inquiry to come to a decision on the Turitea wind farm. The evidence prepared for the Board of Inquiry will be used to help develop local District Plan policy;
- i) PNCC is in the process of carrying out a District wide Landscape Study. This work was initiated in 2006 as part of the wider District Plan Review. Stage 1 is complete of the Landscape Study is complete. The initial focus of Stage 2 (the values based assessment) will be on the Tararua Ranges;
- j) I am aware other local Councils within the region are planning on developing District Plan wind farm policy or have to face the issue due to pending or current District Plan reviews.

### **Palmerston North City District Plan – Wind Farm Policy Guidance**

- 21. Wind-farms are listed as an unrestricted discretionary activity within the Palmerston North City District Plan. This means decision makers can consider all potential environmental effects of wind farms and assess each application against the purpose and principles of the RMA.
- 22. The alternative planning mechanisms for managing wind-farms was the subject of a PNCC initiated technical expert workshop held in December 2008.
- 23. The technical expert workshop was initiated by PNCC as part of the response to the following Council resolution passed in October 2008:

*That the Chief Executive be asked to prepare a report designed to lead to a policy for the city in relation to the siting and operation of wind farms that may be either fully or at least partly located within our city boundaries, and that the report:*

- (a) has particular regard to health, amenity and landscape matters, conservation values and property values, without limitation.*
- (b) is based on relevant local and international knowledge and experience;*
- (c) is suitable as a basis for a council-initiated District Plan Change; and*
- (d) and that a report on progress be presented to the Planning and Policy Committee meeting in February 2009*

24. The resolution above was passed following a Notice of Motion promoted by a PNCC member in response to growing community concern regarding the development of wind farms within the City.

25. The recommendation of the technical expert workshop on wind farms was:

*Accept the status quo for activity status (discretionary) but with wind farms identified as a specific category of activity, and supported by specific objectives and policies, based on the outcome of a "pilot" landscape study*

26. A copy of the report from the technical expert workshop on wind farms is attached as Appendix B.

27. The recommendation of the technical expert workshop report may need to be reviewed following the outcome of the Board of Inquiry decision on the Turitea wind farm.

28. The outcome of the technical expert workshop was reported back to PNCC in April 2009. PNCC subsequently passed the following resolutions in April 2009:

*Note the recommendation of the report detailing the outcomes of the technical expert workshop on wind farms held in December 2008*

*Approve that the values based assessment of the Tararua Ranges to be completed as part of Stage 2 of the Palmerston North City Landscape Study be carried out in advance of the assessment of the remainder of the City*

*Await the decision of the Board of Inquiry on the Turitea Wind Farm application before finalising the makeup of the proposed District Plan Wind Farm Policy*

*Note that where possible the technical expert evidence being prepared to support the Council submission on the Turitea Wind Farm application will be used to assist in the development of the proposed District Plan Wind Farm Policy*

*Note that the Consultant carrying out the values based assessment of the Tararua Ranges will be required to work in close collaboration with the Council consultant preparing the landscape evidence to support the Council submission on the Turitea Wind Farm application*

*Note that there will be costs in preparing the proposed District Plan Wind Farm Policy in addition to the costs of preparing the expert evidence to support the Council submission on the Turitea Wind Farm application*

### **The Palmerston North City District Plan Review**

29. The current Palmerston North City District Plan was notified in the mid 1990s and made operative in December 2000.

30. PNCC has commenced a review of its District Plan. A Discussion Document detailing the significant resource management issues within the City was made available for public comment in the first quarter of 2009. The Discussion Document included commentary surrounding the management of wind farms within the City.

31. Despite the pending District Plan Review, it is anticipated that a change to the District Plan regarding the management of wind farms within the City will be promoted prior to the notification of a new District Plan.
32. The Plan Change is likely to rely heavily on the outcome of the Board of Inquiry decision on the Turitea Wind Farm and Stage 2 of the Palmerston North City Landscape Study (see below).

### **Palmerston North City Landscape Study**

33. As a result of discussions held with Horizons during the early stages of the development of the One Plan, Council commissioned the Palmerston North City Landscape Study in 2006. At the time the Landscape Study was commissioned it was anticipated the document would inform the wider District Plan Review, in particular the review of Rural Zone, e.g. lifestyle blocks, wind farms and urban development on the fringe of the City.
34. As the Landscape Study has progressed the role of the study in relation to managing the ongoing development of wind farms within the City has grown. As outlined within the PNCC recommendations detailed earlier in my evidence, the initial focus of Stage 2 of the Landscape Study will now be focused on the Tararua ranges.
35. David McKenzie, Principal Landscape Architect at Opus International Consultants prepared Stage 1 of the Landscape Study and has recently been commissioned to complete the initial part of Stage 2 (values based assessment of the Tararua Ranges). Clive Anstey has been brought in to support David McKenzie on Stage 2 given his detailed knowledge of the local landscape and involvement in the assessment of wind farm applications within the City on behalf of PNCC.

### **Horizons Recommended Approach**

36. In general I support the approach recommended within the s42A reports.
37. At the start of my planning analysis I identified two key issues or questions for the Hearings panel to determine:
  - 1) What is the regional significance of the wind farm issue?
  - 2) Does the recommended approach sufficiently address the issue?
38. In my opinion, the development of wind farms within close proximity to urban areas including lifestyle blocks is now a regionally significant issue. The development of wind farms within more isolated rural areas is also growing in significance.
39. In my opinion, if Horizons was initiating the One Plan process today landscape issues would feature more prominently in the early issues based consultation. This would lead to Horizons having to consider directing more resources towards landscape issues.
40. While Horizons are likely to be criticised at the hearing for not putting more resources into the landscape sections of the One Plan, the same could be said for local territorial authorities who have only recently initiated a more proactive response to the issue. In my opinion, it would not be an efficient or effective



response to the issue if Horizons was to “start again” with respect to the landscape / wind farm issue.

41. A more proactive regional response would include greater technical justification for the regionally significant landscapes identified within the One Plan to better enable land use rules to be developed at the regional or local level. Such a response is now largely being picked up by the TAs at the local level, in particular in those Districts / landscapes that are subject to wind farm development pressure.
42. As mentioned previously, PNCC is in the process of preparing a Landscape Study. I am aware that Horowhenua District Council is preparing a similar Landscape Study. Tararua District Council are having to face the wind farm issue as part of its District Plan Review but, as far as I am aware, are yet to commission any substantial Landscape study to assist it in making its policy decisions. I am unaware of any landscape work occurring within the Wanganui, Rangitikei or Ruapehu Districts.
43. In summary, in my opinion, the landscape / wind farm issue is now of regional significance. While Horizons may have tackled the issue differently if it could start again, the recommended approach is a best fit compromise based on the situation I have described within my evidence. This also appears to be a growing acceptance that the issue is best addressed at the local level with a number of TA’s initiating a response or being forced to consider a response as a result of current and pending Plan reviews.

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#### **Horizons Regional Council s42A Reports**

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44. As above, in general I support the recommendations and the content of the S42A reports prepared by Horizons.
45. While the One Plan does not provide an immediate solution, the recommended approach will ensure the One Plan it is well set up to assist TA’s to respond to the issue.
46. I support the inclusion of the regional landscape criteria. Stage 1 of the Palmerston North City Landscape Study has been prepared taking into account similar criteria. Stage 2 of the Landscape Study will take into account the recommended criteria.
47. I support Schedule F, Table F1. As described in my evidence, Horizons attempt to advance the operative RPS policy through the mapping of the regional landscape features appears to have complicated matters. In my opinion, the regional landscapes can stand alone as described in Table F1 and the maps could be removed if they continue to cause debate through the hearings process.
48. I strongly support the method that Horizons will formally seek changes to District Plans if required to ensure provisions are in place to provide an appropriate level of protection to outstanding natural features and landscapes. I suggest this method be amended to include submissions to local LTCCP’s and Annual Plan’s seeking that funding be set aside to carry out such work. A District wide landscape study of a sufficient quality to support District Plan initiatives can be an expensive and timely exercise.

49. I question the method of Horizons submitting on resource consent applications. The operative RPS and the One Plan must be (and have been) taken into account during the assessment of wind farm applications. Unless Horizons is to commission expert landscape evidence, a submission can only really restate its policy position as outlined within the RPS or the One Plan.

A handwritten signature in black ink, appearing to read 'DMurphy', with a long horizontal stroke extending to the right.

David Murphy  
**Senior Policy Planner**  
*City Future*  
PALMERSTON NORTH CITY COUNCIL

## **APPENDIX A: Decisions requested by PNCC within its original submission on the Landscape sections of the One Plan**

*That Horizons notes PNCC's support for the changes made to the landscape sections of the One Plan prior to formal public notification under the RMA.*

*That Horizons adopt **Issue 7-2**.*

*That Horizons adopt **Objective 7-2** subject to the land within the PNCC boundary that is identified as an outstanding landscape within Schedule F of the One Plan, is part of the Department of Conservation estate.*

*That Horizons amend the second sentence of **Policy 7-7** to reads as follows:*

*All subdivision, use and development **within** these areas shall be managed in a manner which:*

*That Horizons amend or remove the reference to "resource consent applications within **Policy 7-8** and note that similar references to resource consents only are included throughout the One Plan which severely limit the application of the One Plan.*

*That Horizons adopt **Policy 7-9**.*

*That Horizons delete the method titled "**District Plan – Natural Features, Landscapes and Habitats**" in so far as it applies to landscapes.*

*That Horizons remove all privately owned land from **Figure 10: Manawatu Gorge** until such time as the land is identified as being of an outstanding nature based on a region wide landscape assessment prepared by an appropriately qualified expert in the area.*

**APPENDIX B: REPORT FROM THE TECHNICAL EXPERT WORKSHOP ON WIND FARMS**