

**In the Environment Court of New Zealand
Wellington Registry**

**I Te Kōti Taiao O Aotearoa
Te Whanganui-a-Tara Rohe**

ENV-WLG-2024-

Under the Resource Management Act 1991 (the Act)

In the matter of an appeal under clause 14(1) of the First Schedule to the Act

Between **Transpower New Zealand Limited**
Appellant

And **Manawatū-Whanganui Regional Council**
Respondent

Notice of appeal by Transpower New Zealand Limited

Dated 20 August 2024

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To The Registrar
 Environment Court
 Wellington

1 Transpower New Zealand Limited (**'Transpower'**) appeals against part of the decision (**'the Decision'**) of the Manawatū-Whanganui Regional Council (**'the Respondent'**) on Plan Change 3 (Urban Development) to the Manawatū-Whanganui One Plan (**'PC3'**). Transpower owns and operates the National Grid, and has a number of assets across the Manawatū-Whanganui region, which include:¹

- a Substations;
- b Communications sites;
- c Transmission lines; and
- d Support structures (including the related telecommunications system).

2 Transpower made a submission (S1) on PC3.

3 Transpower is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (**'RMA'**).

4 Transpower received notice of the Decision on 12 July 2024.

5 The Decision was made by the Respondent.

Provisions being appealed

6 The parts of the Decision that Transpower is appealing against relate to:

- a providing for the effective operation, maintenance, upgrading and development of the National Grid; and
- b managing the effects of third party activities on the operation, maintenance, upgrading and development of the National Grid.

7 In particular, Transpower appeals the parts of the Decision that relate to the following provisions of PC3:

- a Objective UFD-O3; and
- b Policy UFD-P4.

¹ See Transpower's original submission (S1) dated 9 November 2022 for a comprehensive list of assets in the Manawatū-Whanganui region (**Appendix B**).

General reasons for the appeal

- 8 The reasons for this appeal are that, in the absence of the relief sought, the parts of the Decision being appealed against:
- a will not promote the sustainable management of resources, and will not achieve the purpose of the RMA;
 - b are contrary to Part 2 and other provisions of the RMA;
 - c will not meet the reasonably foreseeable needs of future generations;
 - d will not promote the efficient use and development of natural and physical resources;
 - e will not achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources;
 - f will not give effect to the National Policy Statement on Electricity Transmission (**'NPSET'**); and
 - g do not represent the most appropriate way of exercising the Respondent's functions, having regard to the efficiency and effectiveness of other reasonably practicable options, and are therefore not appropriate in terms of section 32 and other provisions of the RMA.
- 9 In addition, the parts of the Decision being appealed against do not give full effect to the NPSET as required by section 75(3)(a) of the RMA, in particular:
- a Policy 10, which requires decision-makers to manage third party activities to the extent reasonably possible, in order to ensure that the operation, maintenance, upgrading, and development of the electricity transmission network is not compromised; and
 - b Policy 11, which requires a National Grid buffer corridor to be established within which sensitive activities will 'generally not be provided for'.

Reasons for appeal of particular provisions

- 10 Without limiting the generality of the above, Transpower's particular reasons for appealing the identified provisions are as follows:
- a Confining the effects to 'reverse sensitivity' in **Objective UFD-O3** does not allow for consideration of other effects on the National Grid and therefore does not give effect to policies 10 and 11 of the NPSET; and
 - b Policies 10 and 11 of the NPSET have a very clear and directive policy requirement to avoid reverse sensitivity effects and ensure the National Grid is not compromised. The qualifier "to the extent reasonably possible" in **Policy UFD-P4** in relation to activities that compromise nationally significant infrastructure does not give effect to these policies.

Relief sought

- 11 Transpower seeks the following relief:
- a Amendments to the specified and any related provisions in order to address the general reasons for the appeal and the reasons for appeal of particular provisions set out above;
 - b The amendments set out in **Appendix A** to this appeal; and/or
 - c Such further, consequential or alternative relief, or ancillary changes, that give effect to the NPSET (or, if applicable, any revised NPSET as may be issued) and resolve the concerns set out in this appeal.
- 12 Transpower attaches the following documents to this notice:
- a The amendments proposed to address Transpower's concerns (**Appendix A**);
 - b A copy of Transpower's submission on PC3 (**Appendix B**);
 - c A copy of the relevant parts of the Decision (**Appendix C**); and
 - d A list of names and addresses of persons to be served with a copy of this notice (**Appendix D**).

Dated 20 August 2024



Nicky McIndoe

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Appendix A Relief sought

Provision (Decisions version) , submission point	Relief sought (shown in red underline and strikethrough)
Objective UFD-O3 ²	<p>UFD-O3: Urban form and function</p> <p>The intensification and expansion of urban environments:</p> <p>1. contributes to well-functioning urban environments* that:</p> <ul style="list-style-type: none"> a. enable all people, communities and future generations to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future, b. increase the capacity and choice available within housing and business land*, c. achieve a quality, sustainable and compact urban form, d. are, or planned to be, well connected by a choice of transport modes including public transport*, e. manage adverse effects* on the environment, and f. manage <u>effects (including reverse sensitivity effects*)</u> on the operation, maintenance and upgrade of nationally significant infrastructure*, including infrastructure[^] and facilities and assets of regional or national importance, <u>to ensure the infrastructure is not compromised.</u> <p>2. enable more people to live in, and more businesses and community services* to be located in, areas of an urban environment* where:</p> <ul style="list-style-type: none"> a. it is in or near a centre zone* or other area with many employment opportunities, b. it is able to be, or is, well-served by existing or planned public transport* and active transport*, c. there is a high demand for housing or business land*, relative to other areas within that urban environment*
Policy UFD-P4 ³	<p>UFD-P4: Urban intensification and expansion</p> <p>1. Intensification and expansion of urban environments* is provided for and enabled in district plans[^] where:</p> <ul style="list-style-type: none"> a. it contributes to a well-functioning urban environment*,

² As an alternative to reference to the effects on nationally significant infrastructure, Transpower would support the reference be confined to the National Grid and for the objective to be framed at a higher level.

³ As an alternative to the relief sought, Transpower would support National Grid specific clauses.

Provision (Decisions version) , submission point	Relief sought (shown in red underline and strikethrough)
	<p>b. it contributes to a range of residential and business areas that enable different housing and/or business types, site* size and densities,</p> <p>c. higher density development is in close proximity to centre zones*, public transport*, community services*, employment opportunities, and open space,</p> <p>d. development is well serviced by existing or planned development infrastructure* and enables provision of public transport*, and additional infrastructure* required to service the development capacity* is likely to be achieved,</p> <p>e. it protects natural and physical resources that have been scheduled within the One Plan in relation to their significance or special character,</p> <p>f. to the extent reasonably possible, the operation, maintenance and upgrade of nationally significant infrastructure* is not compromised, and</p> <p>g. it promotes positive effects*, and gives appropriate priority to the health and wellbeing of waterbodies*, freshwater* ecosystems, and other receiving environments* where they are potentially adversely affected by urban development, while at a minimum avoiding, remedying or mitigating those effects* (including cumulative effects*).</p> <p>2. In addition to meeting the criteria in (1) above, the expansion of urban environments* must only occur where it:</p> <p>a. is adjacent to existing or planned urban areas,</p> <p>b. will not result in inefficient or sporadic patterns of settlement and residential growth and is an efficient use of the finite land* resource,</p> <p>c. is well-connected along transport corridors and is designed to enable a variety of transport modes,</p> <p>d. manages adverse reverse sensitivity effects* on land* with existing incompatible activities, including adjacent to the urban environment* boundary, and</p> <p>e. to the extent reasonably possible, does not compromise the operation, maintenance and upgrade of nationally significant infrastructure*.</p> <p>...</p>

Appendix B Transpower's submission

Submission by Transpower New Zealand Limited on Proposed Plan Change 3 to the Manawatū-Whanganui Regional Council (Horizons) One Plan – Regional Policy Statement

9 November 2022

Keeping the energy flowing



Transpower New Zealand Limited

Trudi Burney – Senior Environmental Planner

Environmental Policy and Planning Group

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Phone (03) 590 7126

(Address for Service)

SUBMISSION FORM ON PROPOSED CHANGE 3

TO: Manawatū-Whanganui (Horizons) Regional Council
SUBMISSION ON: Proposed Change 3 – Urban Development

Submissions must be received at Horizons by 5pm 15 November 2022

Please note that the RMA requires all submissions and accompanying data to be made available for public inspection. They will be published on Council's website and included in Council documents that are available to the public following close of the submission period. Submissions will be published on the Horizons website and in documents that are available to the public, following the close of the submission period.

- Please post your submission to Private Bag 11025 Manawatū Mail Centre, Palmerston North 4442; or
- Deliver your submission to the Horizons offices at 11-15 Victoria Avenue, Palmerston North; or
- Please email your submission to submissions@horizons.govt.nz.

SUBMITTER DETAILS

Full name: **Transpower New Zealand Limited**

Email: **environment.policy@transpower.co.nz**
(Please note that Horizons will use this email address to correspond with you during the plan change, unless an alternative method of service is indicated below.):

Postal address: **31 Gilberthorpes Road, Islington 8042, Christchurch**

(Or alternative method of service under section 352 of the Resource Management Act).

Preferred contact number (daytime): **Trudi Burney – Senior Environmental Planner**

2022/EXT/1769

SUBMISSION FORM

ON PROPOSED CHANGE 3

I have attached 13 additional pages of submission content.

I seek the following decision from the Manawatū-Whanganui (Horizons) Regional Council
(please give precise details):

Refer attached

I wish to be heard in support of my submission.
(Only submitters who indicate they wish to be heard will be sent a copy of the planning report.)

Yes No

If others make a similar submission I will consider presenting a joint case with them at a hearing.

Yes No

SIGNATURE

Signature*:

Date: 9 Nov 2022

*Your signature or that of the person authorised to sign on behalf of the person making the submission

INFORMATION

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious;
- it discloses no reasonable or relevant case;
- it would be an abuse of the hearing to allow the submission (or the part) to be taken further;
- it contains offensive language;
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Submission by Transpower New Zealand Limited on Proposed Plan Change 3 to the Regional Policy Statement in the Manawatū-Whanganui Regional Council (Horizons) One Plan

Introduction to Transpower

Transpower is a State-Owned Enterprise that plans, builds, maintains and operates New Zealand's National Grid, the high voltage electricity transmission network for the country. The National Grid links electricity generators directly to major industrial users and distribution companies, feeding electricity to the local networks that distribute electricity to homes and businesses. The role of Transpower is shown in Figure 1 below.

The National Grid comprises towers, poles, lines, cables substations, a telecommunications network and other ancillary equipment stretching and connecting the length and breadth of the country from Kaikohe in the North Island down to Tiwai in the South Island, with two national control centres (in Hamilton and Wellington).

The National Grid includes approximately 11,000 km of transmission lines and over 170 substations, supported by a telecommunications network of around 300 telecommunication sites, which help link together the components that make up the National Grid.

It is important to note that Transpower's role is distinct from electricity generation, distribution or retail. Transpower provides the required infrastructure to transport electricity from the point of generation to local lines distribution companies, which supply electricity to everyday users. These users may be a considerable distance from the point of generation.

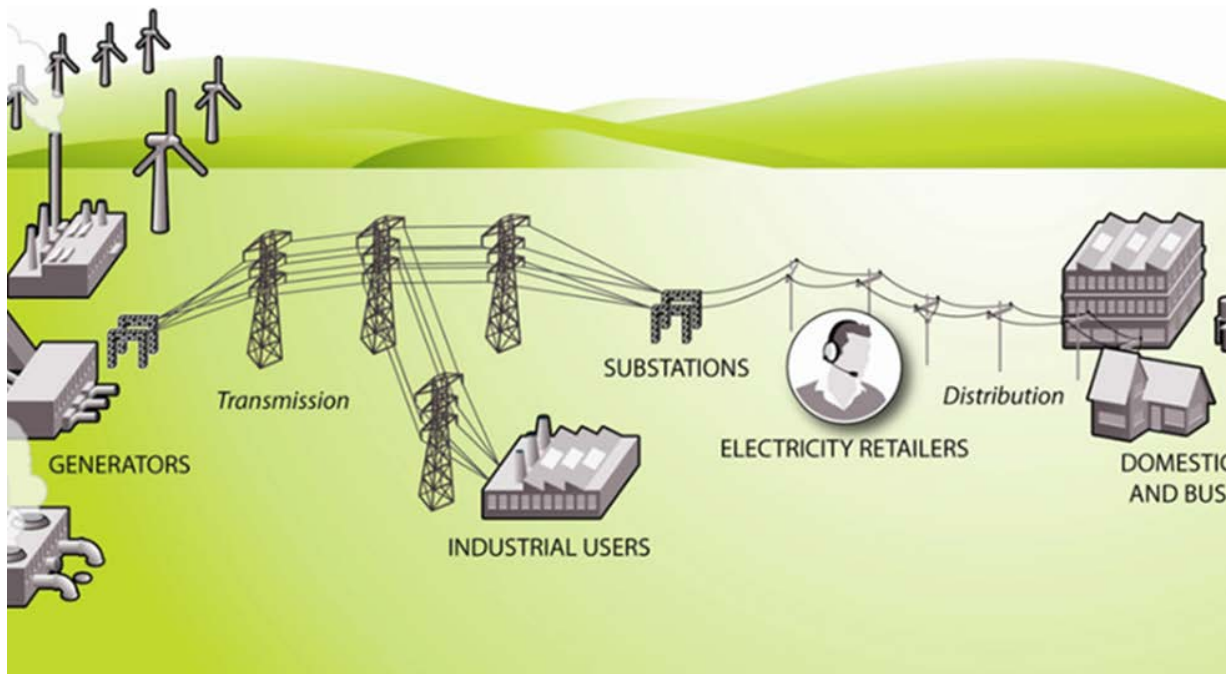


Figure 1. Role of Transpower in New Zealand's electricity industry. (Source: MBIE)

Transpower's role as outlined in its Statement of Corporate Intent for July 2022, states that:

Transpower is central to the New Zealand electricity industry, connecting New Zealanders to their power system through safe, smart solutions for today and tomorrow. Our principal commercial activities are:

- As grid owner, to reliably and efficiently transport electricity from generators to distributors and large users, and*
- As system operator, to operate a competitive electricity market and deliver a secure power system.*

In line with the above, Transpower needs to efficiently maintain and develop the network to meet increasing demand, to connect new generation, and to ensure security of supply, thereby contributing to New Zealand's economic and social aspirations. It must be emphasised that the National Grid is an ever-developing system, responding to changing supply and demand patterns, growth, reliability and security needs. As the economy electrifies in pursuit of the most cost efficient and renewable sources, the base case in Transpower's "Whakamana i Te Mauri Hiko" predicts that electricity demand is likely to increase around 55% by 2050. Whakamana i Te Mauri Hiko suggests that meeting this projected demand will require significant and frequent investment in New Zealand's electricity generation portfolio over the coming 30 years, including new sources of resilient and reliable grid connected renewable generation. In addition, new connections and capacity increases will be required across the transmission system to support demand growth driven by the electrification of transport and process heat. Simply put, New Zealand's electricity transmission system is the infrastructure on which our zero-carbon future will be built. This work supports Transpower's view that there will be an enduring role for the National Grid in the future, and the need to build new National Grid lines and substations to connect new, renewable generation sources to the electricity network.

The National Grid has operational requirements and engineering constraints that dictate and constrain where it is located and the way it is operated, maintained, upgraded and developed. Operational requirements are set out in legislation, rules and regulations that govern the National Grid, including the Electricity Act 1992, the Electricity Industry Participation Code, the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001), and the Electricity (Hazards from Trees) Regulations 2003.

Manawatu Wanganui Region Assets

Transpower's assets across the Manawatū-Whanganui region are numerous and include substations, communications sites, transmission lines and support structures (including the related telecommunications system). The transmission lines comprise 220kv and 110kv transmission lines on towers and poles. Refer to Appendix A for a map showing the location of the lines and substations.

There are a number of transmission lines within the wider region, being;

- Arapuni - Ongarue B 110kV transmission line on single circuit steel tower
- Bunnythorpe - Haywards A 220kV transmission line on single circuit steel tower
- Bunnythorpe - Haywards B 220kV transmission line on single circuit steel tower
- Bunnythorpe - Mangahao A 110kV transmission line on double circuit steel tower and single circuit single poles
- Bunnythorpe - Mangahao B 110/110kV transmission line on double circuit steel tower and single circuit single poles
- Bunnythorpe - Woodville B 110kV transmission line on double circuit steel tower
- Brunswick - Bunnythorpe A 220kV transmission line on double circuit steel tower
- Brunswick - Stratford A 220kV transmission line on double circuit steel tower

- Brunswick - Stratford B 220kV transmission line on single circuit steel tower
- Fernhill - Woodville A 110kV transmission line on Single circuit single pole and pi poles
- Fernhill - Woodville B 110kV transmission line on Single circuit single pole and pi poles
- Huntly - Taumarunui A 220kV transmission line on double circuit steel tower
- Stratford - Taumarunui A 220kV transmission line on double circuit steel tower
- Tangiwai - Tee A 220kV transmission line on double circuit steel tower
- Tararua Wind Central - Tee A 220kV transmission line on single pole
- Bunnythorpe - Ongarue A 110kV transmission line on single circuit steel tower
- Bunnythorpe - Whakamaru A 220kV transmission line on single circuit steel tower
- Bunnythorpe - Whakamaru B 220kV transmission line on single circuit steel tower
- Bunnythorpe - Wairakei A 220kV transmission line on single circuit steel tower
- Mangamaire - Masterton A 110kV transmission line on single pole
- Mangamaire - Woodville A 110kV transmission line on single pole
- Wanganui - Stratford A 110kV transmission line on single circuit pi pole, single pole and single circuit steel tower
- Bunnythorpe - Wanganui B 110kV transmission line on single and double circuit steel towers
- National Park - Retaruke A 110kV transmission line in single and pi poles
- Bunnythorpe - Wilton A 220kV transmission line on double circuit steel tower

There are a number of substations within the wider region, being;

- Bunnythorpe
- Brunswick
- Dannevirke
- Linton
- Mangamaire
- Mangahao
- Marton
- Mataroa
- National Park
- Ohakune
- Ongarue
- Taumarunui
- Tangiwai
- Tararua Wind Central
- Woodville
- Wanganui

In addition, there are a number of communication sites, being North Range Road East, North Range Road West, Te Paki, Palmerston North DO and Waiouru Repeater and two tee sites, being the Tararua Wind Central Tee and Retarukke Tee.

Collectively, these assets assist Transpower in servicing the Manawatū-Whanganui region, as well as the rest of New Zealand. The ongoing operation, maintenance, upgrading and development of these assets is essential to achieving wider social, economic, cultural and environmental benefits for the region. Transpower's electricity infrastructure must be sustainably managed, and any adverse effects on that infrastructure should be avoided, remedied or mitigated.

Of the four *urban environments*¹ identified in Proposed Plan Change 3 (“**PPC3**”) (being Feilding, Palmerston North, Levin and Wanganui) existing transmission lines only cross existing residential zoned land within Wanganui (noting Bunnythorpe is not considered an urban environment).

Statutory Framework

The National Policy Statement on Electricity Transmission (“**NPSET**”) was gazetted on 13 March 2008. The NPSET confirms the national significance of the National Grid and establishes national policy direction to ensure decision-makers under the Resource Management Act (“**RMA**”) duly recognise the benefits of transmission, manage the effects of the National Grid and appropriately manage the adverse effects of activities and development close to the National Grid. The NPSET only applies to the National Grid – the assets used, operated or owned by Transpower – and not to electricity generation or distribution networks. A copy of the NPSET is attached as **Appendix B**.

The one objective of the NPSET is as follows:

To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- *Managing the adverse environmental effects of the network; and*
- *Managing the adverse effects of other activities on the network.*

The NPSET’s Objective is implemented by fourteen policies. The policies must be applied by both Transpower and decision-makers under the RMA, as relevant. In a general sense these policies address the following:

- Policy 1: Recognising the benefits of the National Grid;
- Policy 2: Recognising and providing for the effective operation, maintenance, upgrading and development of the National Grid;
- Policies 3 to 5: Weighing the management of environmental effects against the operational constraints, site/route selection approach, and the requirements of existing assets;
- Policies 6 to 8: Reducing, minimising and avoiding adverse effects in differing contexts;
- Policy 9: Potential health effects;
- Policies 10 and 11: Managing adverse effects on the National Grid and providing for “buffer corridors”;
- Policy 12: Mapping the National Grid; and
- Policies 13 and 14: Long-term development and planning for transmission assets.

Section 62(3) of the RMA requires that a regional policy statement must ‘give effect’ to a National Policy Statement. Case law has established that the words “give effect to” means to implement, which is a strong directive, creating a firm obligation on the part of those subject to it.

¹ Urban environment has the same meaning as in clause 1.4 of the National Policy Statement on Urban Development 2020 (as set out below):

means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

- (a) is, or is intended to be, predominantly urban in character; and
- (b) is, or is intended to be, part of a housing and labour market of at least 10,000 people.

It is therefore a requirement that regional policy reflects national direction and that the regional policy is effective in helping support the integrated management of natural and physical resources across the region as a whole.

Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (“**NESETA**”) came into effect on 14 January 2010, providing a national framework of permissions and consent requirements for the operation, maintenance and upgrading of National Grid lines existing at 14 January 2010: it does not apply to substations or electricity distribution lines, and nor does it apply to the construction of new transmission lines (which are typically designated).

Under Section 44A of the RMA, local authorities are required to ensure there are no duplications or conflicts between the provisions of the NESETA and a proposed plan.

Transpower’s Submission on Proposed Plan Change 3 to the RPS

Transpower recognises that the purpose of PPC3 is to implement and support the National Policy Statement on Urban Development 2020 (NPS-UD). In enabling urban development, it is important that the operation, and maintenance and upgrade of infrastructure is not compromised, thereby reconciling the national policy direction of both instruments. Policies 10 and 11 of the NPSET provide the primary direction on the management of adverse effects of subdivision, land use and development activities on the electricity transmission network. These policies are critical matters for a plan to address and are specifically relevant to PPC3.

Policy 10 is as follows:

In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.

Policy 11 relates to the development of buffer corridors, and is as follows:

Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (so as to facilitate the long-term strategic planning of the grid).

For Transpower, the provisions of the RPS need to ensure the National Policy Statement on Electricity Transmission 2008 (NPSET) is given effect too. This may require wider changes than those within scope of PPC3. In context of PPC3, Transpower recognises that while existing National Grid assets only traverse residential areas within Wanganui, PPC3 also relates to urban growth and expansion (in addition to development and intensification) and therefore has wider relevance to existing National Grid assets beyond that of existing zoned urban areas.

Given the above statutory and policy framework, it is important given its national and regional significance, that the management of the National Grid is properly addressed in the Regional Policy Statement, particularly in context of the effects of urban development on the National Grid.

The following submission points relate to specific elements of Proposed Plan Change 3 to the Regional Policy Statement which are supported by Transpower, or others where amendments to specific provisions are sought.

Comments against specific proposed changes in PPC3 are set out in the table below. Amendments proposed through PPC3 as notified are shown as ~~black strikethrough~~ and underline text. Amendments sought through this submission are shown as ~~red strikethrough~~ and underline text. For the avoidance of doubt, all the points below include any consequential amendments.

Specific Plan Change Provision	Support/ Oppose/ Amend	Reasons	Amendment Sought
UDF Provisions - Objectives			
<p><u>UFD-O3: Urban form and function</u> <u>The intensification and expansion of urban environments*:</u> <u>(1) contributes to well-functioning urban environments* that</u> <u>(a) enable all people, communities and future generations to</u> <u>provide for their social, economic, and cultural wellbeing, and for</u> <u>their health and safety, now and into the future,</u> <u>(b) increase housing capacity and housing choice,</u> <u>(c) achieve a quality, sustainable and compact urban form that</u> <u>relates well to its surrounding environment,</u> <u>(d) are well connected by a choice of transport modes including</u> <u>public transport*, and</u> <u>(e) manage adverse environmental effects*.</u> <u>(2) enable more people to live in, and more businesses and</u> <u>community services* to be located in, areas of an urban</u> <u>environment* where:</u> <u>(a) it is in or near a centre zone* or other area with many</u> <u>employment opportunities, or</u> <u>(b) it is well-serviced by existing or planned public transport*, or</u> <u>(c) there is a high demand for housing or business land*, relative</u> <u>to other areas within that urban environment*.</u></p>	Amend	<p>Transpower supports the intent of Objective 3 in terms of the intensification and expansion of urban environments subject to the management of adverse environmental effects. While the objective is supported, in order to give effect to NPSET policies 10 and 11, an amendment is sought to the objective to specifically reference effects on nationally significant infrastructure (as defined in the NPS-UD 2020). Such recognition would align and reconcile the national policy direction relating to urban development and electricity transmission and provide a clear policy signal to district plan.</p> <p>As an alternative to reference to the effects on <i>nationally significant infrastructure</i>, Transpower would support the reference be confined to the National Grid.</p>	<p>Amend Objective UFD-O3 as follows:</p> <p><i>UFD-O3: Urban form and function</i> <i>The intensification and expansion of urban environments*:</i> <i>(1) contributes to well-functioning urban environments* that</i> <i>(a) enable all people, communities and future generations to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future,</i> <i>(b) increase housing capacity and housing choice,</i> <i>(c) achieve a quality, sustainable and compact urban form that relates well to its surrounding environment,</i> <i>(d) are well connected by a choice of transport modes including public transport*, and</i> <i>(e) manage adverse environmental effects*, and</i> <i>(f) manages the effects on nationally significant infrastructure*.</i> <i>(2) enable more people to live in, and more businesses and community services* to be located in, areas of an urban environment* where:</i> </p>
UDF Provisions - Policies			

Specific Plan Change Provision	Support/ Oppose/ Amend	Reasons	Amendment Sought
<p>UFD-P4: Urban intensification and expansion <u>(1) Intensification and expansion of urban environments* is provided for and enabled in district plans^ where:</u> <u>(a) it contributes to a well-functioning urban environment*,</u> <u>(b) it provides for a range of residential areas that enable different housing types, site* size and densities that relate well to the surrounding environment,</u> <u>(c) higher density development is in close proximity to centre zones*, public transport*, community services*, employment opportunities, and open space,</u> <u>(d) development is well serviced by existing or planned development infrastructure* and public transport*, and additional infrastructure* required to service the development capacity* is likely to be achieved, and</u> <u>(e) it protects natural and physical resources that have been scheduled within the One Plan in relation to their significance or special character.</u> <u>(2) In addition to meeting the criteria in (1) above, the expansion of urban environments* must only occur where it:</u> <u>(a) is adjacent to existing or planned urban areas,</u> <u>(b) will not result in inefficient or sporadic patterns of settlement and residential growth and is an efficient use of the finite land resource,</u> <u>(c) is well-connected along transport corridors,</u> <u>(d) manages adverse reverse sensitivity effects* on land with existing incompatible activities adjacent to the urban environment* boundary.</u></p>	Amend	<p>Policy 4 of PPC3 relates to urban intensification and expansion and is very directive in wording. Clause 1 of the policy relates to intensification and expansion, clause 2 is specific to expansion, clause 3 is specific to intensification and clause 4 relates to public transport.</p> <p>Transpower supports the intent of the policy but seeks amendment to provide consideration of the effects of intensification and expansion on the National Grid. Policies 10 and 11 of the NPSET have a very clear and directive policy requirement to avoid reverse sensitivity effects and ensure the National Grid is not compromised. Policy UFD-P4 as notified does not provide the policy recognition or give effect to the NPSET. An amendment to the proposed policy would also reconcile operative policy 3-2² of the RPS relating to adverse effects of other activities on infrastructure.</p> <p>The sought amendment is to clause 1 as the clause relates to both intensification and expansion.</p>	<p>Amend Policy UFD-P4 as follows:</p> <p><i>UFD-P4: Urban intensification and expansion</i> <i>(1) Intensification and expansion of urban environments* is provided for and enabled in district plans^ where:</i> <i>(e) it protects natural and physical resources that have been scheduled within the One Plan in relation to their significance or special character- and</i> <i>(f) the operation, maintenance, and upgrade of nationally significant infrastructure* is not compromised.</i> <i>(2) In addition to meeting the criteria in (1) above, the expansion of urban environments* must only occur where it:</i> <i>(a) is adjacent to existing or planned urban areas,</i> <i>(b) will not result in inefficient or sporadic patterns of settlement and residential growth and is an efficient use of the finite land resource,</i> <i>(c) is well-connected along transport corridors,</i> <i>(d) manages adverse reverse sensitivity effects* on land with existing</i></p>

² <https://www.horizons.govt.nz/publications-feedback/one-plan/part-1-regional-policy-statement/chapter-3/3-4-policies>

Specific Plan Change Provision	Support/ Oppose/ Amend	Reasons	Amendment Sought
<p><u>(3) District plans[^] applying to urban environments* must enable heights and density of urban form which are equal to the greater of:</u> <u>(a) demonstrated demand for housing and/or business use, or</u> <u>(b) the level of accessibility provided by existing or planned* active transport* or public transport* to areas with community services* and employment opportunities.</u> <u>(4) Local authority transport plans and strategies must establish ways to contribute to well-functioning urban environments* through the provision of public transport* services and by enabling active transport*.</u></p>		<p>As an alternative to reference to the effects on nationally significant infrastructure, Transpower would support the reference be confined to the National Grid.</p>	<p><i>incompatible activities adjacent to the urban environment* boundary. <u>and (e) ensures the operation, maintenance, and upgrade of nationally significant infrastructure* is not compromised.</u></i> <i>(3) District plans[^] applying to urban environments* must enable heights and density of urban form which are equal to the greater of:</i> </p>
<p><u>UFD-P6: Significant development capacity* criteria</u> <u>(1) Unanticipated or out of sequence development will add significantly to development capacity* where:</u> <u>(a) the location, design and layout of the development will contribute to a well-functioning urban environment*,</u> <u>(b) the development is well-connected along transport corridors, and to community services*, and open space,</u> <u>(c) the development will significantly contribute to meeting demand for additional urban land identified in a Housing and Business Development Capacity Assessment*, or a shortfall identified by undertaking the monitoring requirements outlined in the National Policy Statement on Urban Development 2020, including meeting housing bottom lines*, or specific housing and price needs in the market,</u> <u>(d) the development will be realised in the short term* and before anticipated planned urban development,</u> <u>(e) there is adequate existing or upgraded development infrastructure* to support development of the land* without adverse effects* on the provision or capacity of other planned development infrastructure* including planned infrastructure* expenditure, and</u></p>	<p>Amend</p>	<p>Proposed policy UFD-P6 relates to development capacity and is supported in principle. Clause 1(f) of the policy relates to effect on infrastructure as a criterion for unanticipated or out of sequence development. While Transpower supports the effects on infrastructure as a criterion, it has concerns the reference in the criterion to “as far as reasonably practicable” does not give effect to the NPSET and is not sufficiently directive to ensure the operation, maintenance and upgrade of the National Grid is not compromised and adverse effects will not result.</p> <p>Transpower seeks amendment to the policy to give effect to the NPSET. This could be achieved by either inclusion of a comma so that the exclusion “as far as reasonably practicable” is confined to</p>	<p>Amend Policy UFD-P6 as follows:</p> <p><i>UFD-P6: Significant development capacity* criteria</i> <i>(1) Unanticipated or out of sequence development will add significantly to development capacity* where:</i> <i>(f) the development avoids adverse effects* on infrastructure[^], and other physical resources of regional or national importance as far as reasonably practicable.</i> <i>(2) If the above criteria are met, the Regional Council and Territorial Authorities* must have particular regard to the contribution the development will have towards achieving UFD-P2.</i></p> <p>Or</p>

Specific Plan Change Provision	Support/ Oppose/ Amend	Reasons	Amendment Sought
<p><u>(f) the development avoids adverse effects* on infrastructure^ and other physical resources of regional or national importance as far as reasonably practicable.</u></p> <p><u>(2) If the above criteria are met, the Regional Council and Territorial Authorities* must have particular regard to the contribution the development will have towards achieving UFD-P2.</u></p>		<p>“other physical resources of regional or national importance” and not applied to infrastructure, or the exclusion be removed.</p>	<p>UFD-P6: Significant development capacity* criteria</p> <p>(1) Unanticipated or out of sequence development will add significantly to development capacity* where:</p> <p>.....</p> <p>(f) the development avoids adverse effects* on infrastructure^ and other physical resources of regional or national importance as far as reasonably practicable.</p> <p>(2) If the above criteria are met, the Regional Council and Territorial Authorities* must have particular regard to the contribution the development will have towards achieving UFD-P2.</p>
UDF Provisions - Definitions			
<p>Defintions</p> <p>Provide a definition of “nationally significant infrastructure”</p>	<p>Amend</p>	<p>In order to support the sought amendments to UFD-O3 and UFD-P4 Transpower seeks the inclusion of a definition of “nationally significant infrastructure” as provided in the NPS-UD.</p>	<p>Provide a definition of nationally significant infrastructure as follows:</p> <p><u>Nationally significant infrastructure has the same meaning as in clause 1.4 of the National Policy Statement on Urban Development 2020 (as set out below):</u></p> <p>(a) <u>State highways</u></p> <p>(b) <u>the national grid electricity transmission network</u></p> <p>(c) <u>.....</u></p>

Appendix A – National Grid assets within the Manawatu - Wanganui Region

Transpower Assets

Manawatu-Wanganui Region

Legend

Region

Boundary

NZ Roads

Highways

Transpower Assets

Cable Protection Zone

Overhead Fibre Cable

Underground Fibre Cables

Site

ACSTN

COMMS

HVDC

TEE

Transmission Line

0kV Overhead

11, 66kV Underground

11, 33, 66 kV Overhead

110kV Underground

110 kV Overhead

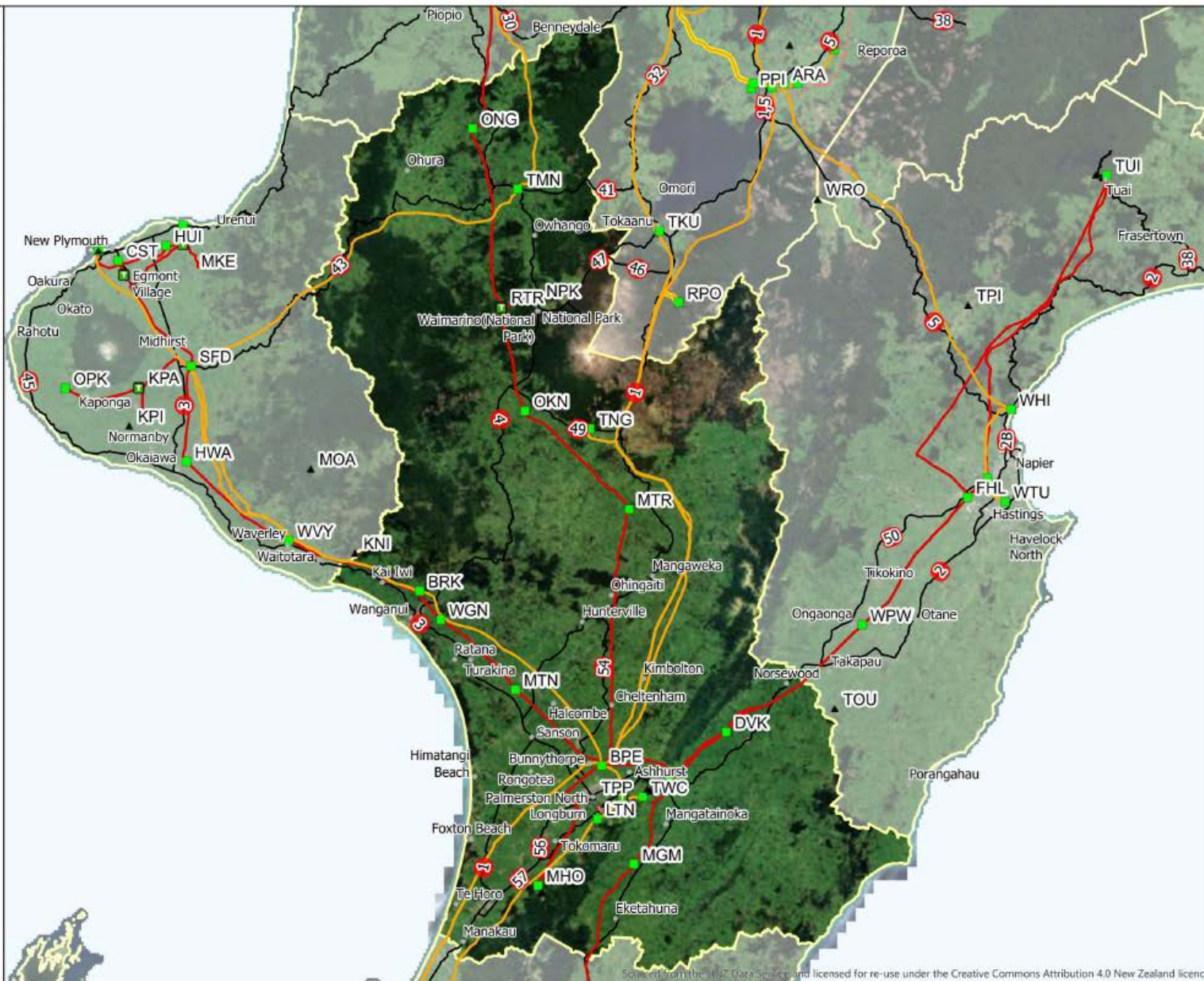
220kV Underground

220 kV Overhead

350 kV Overhead

350kV Submarine

400kV Overhead



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Date: 8/04/2020 Drawn by: berrymanem

Path: \\transpower.co.nz\Copied\BPR\Collaborator\Spatial\GIS\Projects\GIS_Regional_District_Territory_Asset_Mapping\Territorial_Asset_Mapping.spr

Projection: NZTM 2000 Scale: 1:1,016,000 Plan Size: A3L

Appendix B – National Policy Statement on Electricity Transmission 2008

NATIONAL POLICY STATEMENT

on Electricity Transmission

Issued by notice in the Gazette on 13 March 2008

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10. Long-term strategic planning for transmission assets

Preamble

This national policy statement sets out the objective and policies to enable the management of the effects of the electricity transmission network under the Resource Management Act 1991.

In accordance with section 55(2A)(a) of the Act, and within four years of approval of this national policy statement, local authorities are to notify and process under the First Schedule to the Act a plan change or review to give effect as appropriate to the provisions of this national policy statement.

The efficient transmission of electricity on the national grid plays a vital role in the well-being of New Zealand, its people and the environment. Electricity transmission has special characteristics that create challenges for its management under the Act. These include:

- Transporting electricity efficiently over long distances requires support structures (towers or poles), conductors, wires and cables, and sub-stations and switching stations.
- These facilities can create environmental effects of a local, regional and national scale. Some of these effects can be significant.
- The transmission network is an extensive and linear system which makes it important that there are consistent policy and regulatory approaches by local authorities.
- Technical, operational and security requirements associated with the transmission network can limit the extent to which it is feasible to avoid or mitigate all adverse environmental effects.
- The operation, maintenance and future development of the transmission network can be significantly constrained by the adverse environmental impact of third party activities and development.
- The adverse environmental effects of the transmission network are often local – while the benefits may be in a different locality and/or extend beyond the local to the regional and national – making it important that those exercising powers and functions under the Act balance local, regional and national environmental effects (positive and negative).
- Ongoing investment in the transmission network and significant upgrades are expected to be required to meet the demand for electricity and to meet the Government’s objective for a renewable energy future, therefore strategic planning to provide for transmission infrastructure is required.

The national policy statement is to be applied by decision-makers under the Act. The objective and policies are intended to guide decision-makers in drafting plan rules, in making decisions on the notification of the resource consents and in the determination of resource consent applications, and in considering notices of requirement for designations for transmission activities.

However, the national policy statement is not meant to be a substitute for, or prevail over, the Act’s statutory purpose or the statutory tests already in existence. Further, the national policy statement is subject to Part 2 of the Act.

For decision-makers under the Act, the national policy statement is intended to be a relevant consideration to be weighed along with other considerations in achieving the sustainable management purpose of the Act.

This preamble may assist the interpretation of the national policy statement, where this is needed to resolve uncertainty.

1. Title

This national policy statement is the National Policy Statement on Electricity Transmission 2008.

2. Commencement

This national policy statement comes into force on the 28th day after the date on which it is notified in the *Gazette*.

3. Interpretation

In this national policy statement, unless the context otherwise requires:

Act means the Resource Management Act 1991.

Decision-makers means all persons exercising functions and powers under the Act.

Electricity transmission network, electricity transmission and transmission activities/assets/infrastructure/resources/system all mean part of the national grid of transmission lines and cables (aerial, underground and undersea, including the high-voltage direct current link), stations and sub-stations and other works used to connect grid injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand.

National environmental standard means a standard prescribed by regulations made under the Act.

National grid means the assets used or owned by Transpower NZ Limited.

Sensitive activities includes schools, residential buildings and hospitals.

4. Matter of national significance

The matter of national significance to which this national policy statement applies is the need to operate, maintain, develop and upgrade the electricity transmission network.

5. Objective

To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- managing the adverse environmental effects of the network; and
- managing the adverse effects of other activities on the network.

6. Recognition of the national benefits of transmission

POLICY 1

In achieving the purpose of the Act, decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. The benefits relevant to any particular project or development of the electricity transmission network may include:

- i) maintained or improved security of supply of electricity; or
- ii) efficient transfer of energy through a reduction of transmission losses; or
- iii) the facilitation of the use and development of new electricity generation, including renewable generation which assists in the management of the effects of climate change; or
- iv) enhanced supply of electricity through the removal of points of congestion.

The above list of benefits is not intended to be exhaustive and a particular policy, plan, project or development may have or recognise other benefits.

7. Managing the environmental effects of transmission

POLICY 2

In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network.

POLICY 3

When considering measures to avoid, remedy or mitigate adverse environmental effects of transmission activities, decision-makers must consider the constraints imposed on achieving those measures by the technical and operational requirements of the network.

POLICY 4

When considering the environmental effects of new transmission infrastructure or major upgrades of existing transmission infrastructure, decision-makers must have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection.

POLICY 5

When considering the environmental effects of transmission activities associated with transmission assets, decision-makers must enable the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.

POLICY 6

Substantial upgrades of transmission infrastructure should be used as an opportunity to reduce existing adverse effects of transmission including such effects on sensitive activities where appropriate.

POLICY 7

Planning and development of the transmission system should minimise adverse effects on urban amenity and avoid adverse effects on town centres and areas of high recreational value or amenity and existing sensitive activities.

POLICY 8

In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.

POLICY 9

Provisions dealing with electric and magnetic fields associated with the electricity transmission network must be based on the International Commission on Non-ionising Radiation Protection *Guidelines for limiting exposure to time varying electric magnetic fields (up to 300 GHz)* (Health Physics, 1998, 74(4): 494-522) and recommendations from the World Health Organisation monograph *Environment Health Criteria* (No 238, June 2007) or revisions thereof and any applicable New Zealand standards or national environmental standards.

8. Managing the adverse effects of third parties on the transmission network

POLICY 10

In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.

POLICY 11

Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (so as to facilitate the long-term strategic planning of the grid).

9. Maps

POLICY 12

Territorial authorities must identify the electricity transmission network on their relevant planning maps whether or not the network is designated.

10. Long-term strategic planning for transmission assets

POLICY 13

Decision-makers must recognise that the designation process can facilitate long-term planning for the development, operation and maintenance of electricity transmission infrastructure.

POLICY 14

Regional councils must include objectives, policies and methods to facilitate long-term planning for investment in transmission infrastructure and its integration with land uses.

Explanatory note

This note is not part of the national policy statement but is intended to indicate its general effect

This national policy statement comes into force 28 days after the date of its notification in the *Gazette*. It provides that electricity transmission is a matter of national significance under the Resource Management Act 1991 and prescribes an objective and policies to guide the making of resource management decisions.

The national policy statement requires local authorities to give effect to its provisions in plans made under the Resource Management Act 1991 by initiating a plan change or review within four years of its approval.

Appendix C Relevant parts of the Respondent's Decision

71. UFD-P8 provides direction in relation to the inter-relationship between urban development and climate change. Sub-policy (2) retains existing policy guidance²¹ on territorial authority decisions and controls in relation to sustainable transport options and encouragement for energy-efficient house design and access to solar energy. Sub-policy (1) directs development of urban environments in ways to reduce greenhouse gas emissions and improve resilience to the effects of climate change. These provisions are supported by four new detailed methods, together with expanded reasons and anticipated environmental results.
72. Lastly, Plan Change 3 contains a series of new definitions drawn from the NPSUD.

3. INFRASTRUCTURE

3.1 Summary of Relevant Submission Points

73. Ms Shirley summarised the submissions under this topic as seeking better recognition of nationally significant infrastructure and the potential reverse sensitivity effects from urban development on such infrastructure.
74. More particularly she noted:
- (a) Transpower's submissions seeking multiple changes to Plan Change 3 to ensure consistency of wording to give effect to the NPSET;
 - (b) Submissions from Transpower, KiwiRail, Waka Kotahi and NZDF all raising points regarding the potential for urban development to create reverse sensitivity effects on infrastructure that is nationally significant or of regional or national importance, and seeking amendments to the scope and background, UFD-I1, UFD-I3, UFD-O3 and UFD-P4;
 - (c) Horowhenua District Council seeking to ensure Plan Change 3 does not foreclose future development options due to the absence of existing public transport. Ms Shirley noted that that Council also requested consideration be given to allowing development provided development infrastructure has been planned.

3.2 Matters in Contention

75. Ms Shirley advised us that her meeting with interested submitters on these issues produced agreement for:

²¹ RPS-EIT-P5.2 and 3

- (a) Inclusion of the NPSUD definition of Nationally Significant Infrastructure to support UFD-03 and UFD-P4;
- (b) Amendments to UFD-I1 and UFD-I3 to recognise reverse sensitivity effects on infrastructure of national importance as an issue associated with urban development;
- (c) Amendments to UFD-03 to avoid the creation of reverse sensitivity effects on nationally significant infrastructure and infrastructure of national or regional importance;
- (d) Amendments to UFD-P1 and UFD-P6 to provide more guidance for infrastructure upgrades that can or will be made;
- (e) Amendments to UFD-P4 to provide for the operation, maintenance and upgrade of nationally significant infrastructure.

76. Consistent with the agreed outcomes of the pre-hearing meeting, Ms Shirley recommended the following amendments to the notified Plan provisions in her Section 42A Report:

- (a) UFD-I1: Insert a new sentence, following the existing statement of potential outcomes from poorly planned urban development, "*It can also have the potential to create reverse sensitivity effects*";
- (b) Amend UDF-I3 so that the existing statement that growth needed to be provided for is made specific to growth "*in urban environments²²*" and adds as an additional descriptor of how it needs to be provided for, "*avoids the creation of reverse sensitivity effects on existing infrastructure of national significance*";
- (c) Amend UFD-O3(1) to add, as an additional clause (f) describing how the intensification and expansion of urban environments might contribute to well-functioning urban environments:

"Manage reverse sensitivity effects on the operation, maintenance and upgrade of nationally significant infrastructure, including infrastructure of regional or national importance."

²² As defined in the NPSUD

- (d) Amend UFD-P1(2) and UFD-P6 to reference the planning of development infrastructure and planned upgrades to such infrastructure respectively;
- (e) Amend UFD-P4(1) and (2) to insert new sub-clauses providing for enablement of intensification of expansion in urban environments in District Plans where “*the operation, maintenance and upgrade of nationally significant infrastructure is not compromised*” and restricting the expansion of urban environments to situations where it “*does not compromise the operation, maintenance and upgrade of nationally significant infrastructure*”;
- (f) Include the NPSUD definition of Nationally Significant Infrastructure in the Plan Change.

77. As regards the last of these recommendations, Ms Shirley discussed the fact that the One Plan currently lists a range of regionally and nationally important infrastructure in Policy 3-1 (now EIT-P1). She noted that the NPSUD definition was both broader in some respects than the list of regionally and nationally important infrastructure in Policy 3-1 (it includes, for instance, the state highway network, which is not explicitly referenced in Policy 3-1, and it has a more all-encompassing definition of the National Grid) and narrower in some respects (NZDF facilities in the Horizons Region are recognised as nationally and regionally important, but are not nationally significant infrastructure in terms of the NPSUD definition). She did not consider that adding the NPSUD definition produced a conflict with existing provisions, provided UFD-O3 was expanded to reference infrastructure of regional and national importance (as above).

3.3 Other Evidence on Infrastructure Issues

- 78. The evidence of infrastructure providers that was pre-circulated largely supported Ms Shirley’s recommendations on this topic. The tabled statement of KiwiRail and the evidence of Ms Whitney for Transpower took issue, however, with the generality of the suggested amendment to UFD-03. KiwiRail drew attention to the fact that the recommended issue references avoidance of the creation of reverse sensitivity effects and the recommended policy directs that reverse sensitivity effects do not compromise nationally significant infrastructure.
- 79. Ms Whitney suggested that to give effect to the NPSET, the new sub-clause (f) needed to be expanded to include reference to effects other than reverse sensitivity on nationally significant infrastructure and to state that the way in which such effects would be managed would be to ensure infrastructure is not compromised.

80. The statement of Ms Davies for NZDF recorded her opposition to inclusion of the NPSUD definition of Nationally Significant Infrastructure because it does not include NZDF facilities. She noted that NZDF facilities such as Linton Military Camp and the RNZAF Base at Ohakea, which are recognised as nationally and regionally important within the One Plan, are at risk of reverse sensitivity effects for implementation of Plan Change 3, but are not protected by the reverse sensitivity provisions in the Plan Change. She suggested, accordingly, amendments to UFD-I3, UFD-O3 and UFD-P4 to include reference to infrastructure and physical resources of regional and national importance.
81. Lastly, the planning evidence of Ms Hilderink-Johnson, supported by the corporate evidence of Ms O'Rourke and legal submissions for Fonterra Limited, sought expansion of the provisions related to management of reverse sensitivity effects on nationally significant infrastructure to include effects on regionally significant industry, such as Fonterra's Longburn Plant.
82. In her rebuttal evidence, Ms Shirley responded to the evidence of Ms Whitney for Transpower, Ms Hilderink-Johnson and Ms O'Rourke for Fonterra²³.
83. Ms Shirley accepted the logic of Ms Whitney's evidence and recommended that UFD-O3(1)(f) be amended to read:

"The intensification and expansion of urban environments:

(1) Contributes to well-functioning urban environments that...

(f) Manage effects (including reverse sensitivity effects) on the operation, maintenance and upgrade of nationally significant infrastructure, including infrastructure of regional or national importance, to ensure the infrastructure is not compromised."*

84. Ms Shirley did not, however, support the amendments Ms Hilderink-Johnson had suggested. She was concerned that the threshold for whether an economic activity is regionally or nationally beneficial would be uncertain and that it was not clear what industries apart from Fonterra would be included within this new classification. Addressing the substance of Fonterra's concerns, while she accepted that the existing direction to manage adverse effects does not direct how potentially adverse

²³ Ms Davies Statement for NZDF was not pre-circulated before we received Ms Shirley's rebuttal evidence and we received it as a non-expert representation on NZDF's behalf.

reverse sensitivity effects should be addressed in all circumstances, it does provide guidance that adverse sensitivity effects on incompatible activities require consideration and control in the context of new urban development. She recorded her view that it was appropriate for territorial authorities to consider what such management requires in a more focussed way.

85. When Ms Shirley presented her Section 42A Report, we raised three issues with her that are relevant to this hearing topic. The first related to the way in which UFD-I3 in particular was framed. Our question was whether it was appropriate for issues to set out policy positions, that is to say, not just to state what the problem is, but to outline the answer.
86. Ms Shirley's initial response was that it was not appropriate, and that she would need to think through the implications of that and advise further in her Reply.
87. The second issue we raised with Ms Shirley was to inquire what the basis was for constraining urban development (contrary to the direction of the NPSUD) in order to protect infrastructure, other than the National Grid (which can rely on the NPSET). Ms Shirley advised that the starting point for her consideration of this issue had been Transpower's submission but she would need to consider that question and, again, address it in Reply.
88. Lastly, we asked whether, even as regards the National Grid, the suggested protection for nationally significant infrastructure went further than could be justified because Policy 10 of the NPSET directs that decisionmakers must manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading and development of that network is not compromised "*to the extent reasonably possible*". Ms Shirley pointed to the reference in UFD-O3 to managing effects but, as we noted, she had recommended that be tightened up to state that management must ensure that nationally significant infrastructure is not compromised, and that the strength of direction is backed up by UFD-P2(d). She accepted that she had not considered that aspect of the NPSET, and again advised that she would address it further in Reply.
89. We also asked Ms Shirley to comment on the NZDF position. We asked in particular whether in her view, NZDF's concern about reverse sensitivity effects was well founded as a matter of fact. In Ms Shirley's view, it was not, because live firing at Linton could be heard in Palmerston North as it is. She also pointed to the existing provisions in Chapter 3 (now RPS-EIT) which do apply to NZDF.

90. Ms Whitney addressed some of these questions when she appeared for Transpower. She accepted that the NPSUD makes no provision for nationally significant infrastructure other than in relation to Tier 1 territorial authorities, but pointed out that Transpower's submission sought recognition of effects on the National Grid in the alternative.
91. As regards the qualification in Policy 10 noted above, Ms Whitney suggested that it was reasonably possible for us to recommend the more directive wording she supported, and Ms Shirley had accepted. Discussing the point further with her, Ms Whitney was unsure as to what the rationale for that qualification was and suggested that it might be appropriate to insert it into the objective.
92. When Ms Davies appeared for NZDF, she made it clear that the sensitivity NZDF was concerned about was in relation to expansion of Palmerston North onto land on the north side of the Manawatu River from the Linton Army Camp, and the live firing range in particular²⁴.
93. Discussing the matter further with her, she agreed that there had been no problems to date but identified as her principal concern that Plan Change 3 was creating almost a tiered protection system in which defence facilities would have a lesser level of protection than 'nationally significant infrastructure'.
94. The other party to provide feedback on these matters was Fonterra. Counsel for Fonterra, Ms Gilbert, pointed out to us that NPSUD Policy 1 was inclusive insofar as it identified what matters contribute to a well-functioning urban environment. She submitted that a purposive interpretation of the NPSUD would identify effects on both nationally significant infrastructure and regionally and nationally significant industry as being relevant to well-functioning urban environments.
95. Responding to counsel for Fonterra in his Reply, Mr Jessen for the Council identified that Ms Gilbert had made what appeared to be a general reference to a purposive approach to interpreting the NPSUD as a whole, without particular focus on a defined statutory interpretation issue or textural ambiguity. In his view, a purposive approach did not justify qualifying the NPSUD to require consideration of nationally significant

²⁴ While Ms Davies' written statement had mentioned risks to Ohakea, we found it difficult to envisage how development of urban environments could have an effect on the Air Force base given the distances involved, and Ms Davies did not expand on her reasoning.

infrastructure other than the National Grid, or by extension, nationally and regionally significant industry.

96. Mr Jessen did, however, submit that a proper interpretation of NPSUD Policy 1 entitled the Council to provide “*appropriately framed regional direction as to reverse sensitivity, beyond just that required to respond to the NPS-ET*”. Mr Jessen reinforced the point that Ms Gilbert had already made, namely that Policy 1 is inclusive – it describes well-functioning urban environments as “*at a minimum*” having the specified attributes. Accordingly additional elements or considerations may be necessary beyond what is listed as what constitutes a well-functioning urban environment.
97. In his submission, it can therefore be argued that a well-functioning urban environment is one that actively addresses conflicts between incompatible land uses.
98. Building on that reasoning, Ms Shirley stated her view that a well-functioning urban environment is one that is sensitive to effects including reverse sensitivity effects on the surrounding environment “*and as a matter of common sense, nationally significant infrastructure*”.
99. She therefore maintained her view that it was appropriate for Plan Change 3 to include provision for management of reverse sensitivity effects on both the National Grid (because of the NPSET), and nationally significant infrastructure more broadly. Ms Shirley recommended only a minor change to the wording of UFD-03(1)(f), accepting in this regard our suggestion that the English expression could be improved.
100. As regards the way in which the issues were expressed, Ms Shirley’s view in Reply was that UFD-I1 and UFD-I2 did not require amendment, but that UFD-I3 required redrafting to appropriately express the issue that other provisions would address. Her redrafted version read:

“Growth in urban environments that is not well planned and integrated with infrastructure and other required services may result in urban environments* that are not well-functioning for the community. This can lead to effects on the urban and natural environment including for example, freshwater^, effects on existing infrastructure, and lack of resilience to the effects of climate change. It is important that growth in urban environments* is provided for in a way that contributes to well-functioning urban environments*.*”

These issues can also apply to smaller towns and settlements where it is also important for growth and development to contribute to well-functioning communities.”

101. Addressing the third question, regarding the need to incorporate the qualification “to the extent reasonably possible” from NPSET Policy 10, Ms Shirley’s view was that such qualifications are better located in the policies of Plan Change 3 rather the objective.

3.4 Analysis and Recommendations

102. Looking first at the formulation of the issues, we agree with Ms Shirley’s assessment that the concern we identified about issues including policy direction does not apply to UFD-I1 and UFD-I2. We do not recommend further amendments to those issues beyond the changes Ms Shirley has recommended.
103. In relation to UFD-I3, we consider that Ms Shirley’s reformulation is a significant improvement. We remain concerned, however, that it contains two statements that are in the nature of a policy direction, being the final sentence of the first paragraph and the single sentence making up the second paragraph. Both are framed with the language “*it is important....*”. In our view, this is not appropriate for an issue, because it states an implicit policy position. We therefore recommend that the final sentence of the first paragraph in Ms Shirley’s revised issue be deleted, and that the additional sentence making up the second paragraph be reformulated. We return to discuss how it might be reformulated in the following section of our Report, where we discuss provisions relating to the towns and settlements that do not constitute urban environments.
104. We note that in her Section 42A revision of this issue, Ms Shirley introduced specific reference to freshwater. That too was revised in her Reply. We address that aspect of the issue later in this report, in the context of the appropriate response to the NPSFM. Putting that aspect to one side for the moment, we recommend two additional amendments. The first is to note that ‘infrastructure’ is used in the sense defined in the Act. The convention of the One-Plan is to show that as *infrastructure*[^] and we have followed that style in this context, and in other provisions in Appendix 1. where that is clearly intended²⁵. The second stems from the way in which the revised

²⁵ We have made minor editorial corrections in Appendix without further comment..

first sentence is framed, where it seems to us that Ms Shirley's understandable desire to use the language of the NPSUD has led to a somewhat strained English expression. We therefore recommend that the first paragraph of UFD-I3 be amended as follows (showing changes from Ms Shirley's Reply version):

"Growth in urban environments that is not well planned and integrated with ~~infrastructure~~ infrastructure[^] and other required services may result in urban environments* that ~~are not well-functioning for the community~~ do not function well. This can lead to effects on the urban and natural environment including for example, freshwater[^], effects on existing ~~infrastructure~~ infrastructure[^], and lack of resilience to the effects of climate change. ~~It is important that growth in urban environments* is provided for in a way that contributes to well-functioning urban environments*~~".*

105. Turning to the question of what provision might be made for infrastructure (and industry), we accept the point made by counsel for Fonterra, and by Mr Jessen for the Council, that NPSUD Policy 1 is inclusive, not exclusive. The clear implication is that there are additional matters that might contribute to well-functioning urban environments. The issue is what they might be.
106. Looking at the range of infrastructure defined by the NPSUD as nationally significant infrastructure and setting aside those items that are not relevant to the Horizons Region²⁶, we consider that most of the other items of infrastructure have a clear relationship with the operation of urban environments either currently or potentially in the future²⁷. Perhaps the only questionable item is the New Zealand rail network.
107. By contrast, the efficient operation of state highways is relevant to all of Horizons' urban environments. The efficient operation of the National Grid is similarly relevant to all urban environments also although in the Horizons Region, as far as we are aware, elements of the National Grid only pass through the urban area of Whanganui.
108. Airports are relevant to both Palmerston North and Whanganui urban environments. Port facilities are relevant to Whanganui also.
109. The same analysis casts doubt on the relief sought both by NZDF and Fonterra.

²⁶ Most obviously the refinery pipeline between Marsden Point and Wiri, and rapid transit services

²⁷ As far as we are aware, there are no renewable electricity generation facilities that are located sufficiently close to any urban environment where this might be an issue, but we can foresee solar farms on the margins of an urban environment being constructed in future.

110. It is difficult to categorise defence facilities as having the same relationship to effective and efficient urban environments as, for instance, state highways. While NZDF might find it somewhat irksome that its facilities are in a second-tier situation, that follows from the fact that they are not recognised in the NPSUD. We accept Ms Shirley's logic for utilising the NPSUD definition, notwithstanding the obvious importance of defence facilities to both the Region and the nation for other reasons.
111. The same is even more the case with a rural processing industry, albeit an extremely large one such as Fonterra's Longburn Dairy Factory. We find the relationship between that and effective and efficient operation of urban environments somewhat tenuous. While we understand the concerns expressed by Ms O'Rourke regarding the potential for reverse sensitivity issues to pose problems in future for Fonterra's operations at Longburn, we agree with Ms Shirley that these issues are better addressed at the territorial authority level. To the extent that regional direction is required, the One Plan already provides that, although obviously not in as directive a manner as Fonterra would like.
112. Further, we agree with Ms Shirley that expanding the RPS provisions to include regionally significant industry requires clarity as to what might qualify as such, in order for us to assess the merits of doing so under Section 32AA of the Act. We did not have that clarity and that too was a reason why we agree with Ms Shirley's recommendation.
113. Turning to the way in which nationally significant infrastructure is provided for we are much less sure of the merits of Ms Shirley's proposed approach.
114. As above, Ms Shirley's response to our query as to whether the new UFD-O3(1)(f) needed to be qualified in the same way as Policy 10 of the NPSET was that qualifications such as this are better located in the policies rather than the objective²⁸.
115. We consider that approach somewhat questionable, among other reasons, because Ms Shirley did not return to consider that possibility in the context of the UFD policies, although that may have been because she was considering it in the alternative (if the focus on reverse sensitivity was limited to the National Grid, which she did not recommend).

²⁸ Reply Statement Ms Leana Shirley 8 March 2024, para 50

116. More fundamentally, it seems to us that given the primary test for policies is whether they are the most effective and efficient means to achieve the objectives²⁹, if an objective is strongly directive, qualified policies would likely not be the most effective and efficient means to achieve it.
117. In our view, that is the case with the recommended amendments to UFD-O3(1)(f), where the outcome sought is to manage effects to ensure that the operation, maintenance and upgrade of nationally significant infrastructure is not compromised.
118. We also consider that the reasoning which prompted Ms Shirley to recommend such a directive outcome (in her rebuttal evidence) is questionable. As above, Ms Shirley was persuaded by Ms Whitney's evidence that amending the approach to effects management in sub-clause (f) to state that it must ensure infrastructure is not compromised would better give effect to the NPSET.
119. Ms Whitney in fact put it somewhat higher than that, suggesting that Ms Shirley's Section 42A Report version of UFD-O3(1)(f) did not give effect to the NPSET. She also suggested that it was inconsistent with recommended Policy UFD-P4.
120. We do not consider that either point is correct. The sole objective in the NPSET is worded:
- “To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:*
- *managing the adverse environmental effects of the network; and*
 - *managing the adverse effects of other activities on the network.”*
121. Policies 10 and 11 provide greater direction as to how the adverse effects of other activities on the network are managed.
122. In summary, the Section 42A version of the objective and policy governing reverse sensitivity effects had the same approach as the NPSET, with a generally framed objective, supported by more specific and directive policies, and we cannot understand how it could be said not to give effect to the NPSET.

²⁹ Section 32

123. Further, we consider that an approach to managing effects on nationally significant infrastructure that is as directive as UFD-O3(1)(f) and UFD-P4(1)(f) cannot be justified as an inferred contributor to well-functioning urban environments on the evidence before us.
124. While, as Ms Whitney suggested, it is possible for urban development to occur in a way that ensures nationally significant infrastructure is not compromised, we did not hear evidence that would suggest that across the entire range of factual scenarios that might arise, that would be a reasonable outcome.
125. We therefore take our cue from NPSET Policy 10 and find that those requirements should be qualified by reference to the extent to which avoidance of reverse sensitivity effects is reasonably possible.
126. We do not consider that it is necessary to qualify both the objective and the policies if UFD-O3(1)(f) is returned to the form set out in the Section 42A Report. Further, in that event, it is not necessary to expand the reference to reverse sensitivity effects to cover all effects. UFD-O3(1)(e) already addresses adverse effects on the environment, and nationally significant infrastructure obviously forms part of the environment.
127. In summary, the only amendment we recommend to UFD-O3(1)(f) from the version set out in the Section 42A Report is to insert reference to facilities and assets of regional or national importance in order to provide 'line of sight' to the provisions of RPS-EIT (formerly Chapter 3).
128. We recommend that UFD-O3(1)(f) therefore reads as follows:
- “manage reverse sensitivity effects on the operation, maintenance and upgrade of nationally significant infrastructure*, including infrastructure^ and facilities and assets of regional or national importance.”*
129. Consistent with our reasoning as above, we further recommend that UFD-P4(1)(f) be amended to read:
- “To the extent reasonably possible, the operation, maintenance and upgrade of nationally significant infrastructure* is not compromised.”*
130. UFD-P4(1)(e) should be amended for consistency to insert the same qualification.

131. For the reasons set out above, we consider that this rewording both gives effect to the NPSUD and the NPSET, and is the most effective and efficient way in which to achieve Objective UFD-O3 in this regard.

4. TERRITORIAL AUTHORITY MATTERS

132. Under this general heading, Ms Shirley collected a series of submissions both from territorial authorities and other organisations relating to matters that impact territorial authorities and their functions. Her description of their general theme was that it revolved around improving certainty for territorial authorities and ensuring consistency with the NPSUD.

4.1 Summary of Relevant Submission Points

133. Ms Shirley identified some ten separate issues the subject of submissions under this general heading, as follows:
- (a) Horowhenua District Council sought changes to the One Plan to include urban development capacity as an additional 'big' issue identified in the Plan (the One Plan currently only defines four such issues and this would be a fifth);
 - (b) Horowhenua, Manawatū and Rangitīkei District Councils all sought more guidance on how Plan Change 3 applies to smaller settlements that do not meet the definition of 'urban environment';
 - (c) Ms Shirley noted a number of submissions seeking that Tier 3 local authorities be included in the housing bottom lines table under UFD-P2. Kāinga Ora sought that Levin in particular be included given its projected growth (to support the Wellington regional growth framework) is more akin to a Tier 1 or 2 Council;
 - (d) Palmerston North City Council sought removal of the words "*relates well to its surrounding environment*" in UFD-O3(1)(c) and UFD-P4(1)(b);
 - (e) Fonterra requested amendments to UFD-03 and UFD-P4(1) to include business land as well as land for housing;
 - (f) Palmerston North City Council and Horowhenua District Council raised related issues around the regional council's role in providing and consenting infrastructure necessary to support urban development;
 - (g) Horowhenua, Manawatū and Rangitīkei District Councils all sought separate policy direction for greenfield urban expansion and infill intensification. Ms Shirley

RPS – UFD – Urban form and development

Scope and background

This chapter provides guidance on managing urban growth and development in a manner that ensures there is *sufficient development capacity** and supply of *land** in relation to housing and *business land** to meet the expected demands of the Region, supported by integrated planning of *land** use, *infrastructure*[^] and development. Objectives, policies and methods set out in other chapters of this Regional Policy Statement also provide guidance on achieving a built form that integrates with its surrounding environment, when having regard to matters including, but not limited to, energy, *infrastructure*[^], transport; hazards and risks; ecosystems and indigenous biodiversity; historic and cultural values; and resource management issues of significance to *hapū** and *iwi**.

Urban development and the National Policy Statement on Urban Development 2020

The National Policy Statement on Urban Development 2020 (NPS UD) sets out objectives and policies for the provision of *sufficient development capacity** to meet the expected demand for housing and *business land** and to contribute to *well-functioning urban environments**. Feilding, Palmerston North, Levin and Whanganui are the *urban environments** in the Horizons Region. The NPS UD also requires local authorities to take into account the principles of the *Treaty of Waitangi (Te Tiriti o Waitangi)*[^] in planning decisions relating to *urban environments**.

In addition to the urban environments listed above, the Horizons Region is characterised by a number of smaller settlements that are not considered '*urban environments**' in the context of the NPS UD and as defined by this Plan. Development of these settlements should occur in the spirit of the NPS UD and the provisions of this chapter but are not subject to the direction applying to *urban environments**.

Urban growth and rural residential *subdivision** on *highly productive land**

Allowing urban expansion, and the development of rural residential "lifestyle blocks", onto *highly productive land** almost always reduces options for their future productive use. Such reduction in options adversely affects the ability of future generations to meet their reasonably foreseeable needs.

Issues

UFD-I1: Strategic planning and *land** use

Poorly planned urban development can result in the piecemeal, uncoordinated and inefficient provision of development, *development infrastructure** and *additional infrastructure**. It can also have the potential to create reverse sensitivity *effects**. This does not contribute to a *well-functioning urban environment**, can create adverse environmental *effects** and will make it more difficult for urban development to meet the needs of current and future communities.

UFD-I2: Adverse *effects** from urban growth and rural residential *subdivision** on *highly productive land**

Urban growth and rural residential *subdivision** ("lifestyle blocks"), on *highly productive land** almost always results in a reduction of the productive capacity of that land. These development pressures often occur on the fringes of some of the Region's urban areas.

UFD-I3: Demand for housing, *business land*^{*}, *infrastructure*[^] and *community services*^{*}

Growth in *urban environments*^{*} that is not well planned and integrated with *infrastructure*[^] and other required services may result in *urban environments*^{*} that do not function well. This can lead to *effects*^{*} on the urban and natural environment including for example, *freshwater*^{*}, *effects*^{*} on existing *infrastructure*[^], and lack of resilience to the *effects*^{*} of *climate change*[^].

These issues can also apply to smaller towns and settlements whose functioning is influenced by the way in which growth and development occurs.

Objectives

UFD-O1: Strategic planning and urban development

Strategic planning for urban development ensures that:

- (1) *sufficient development capacity*^{*} and *land*^{*} supply for housing and business uses is provided to support growth,
- (2) new development, *development infrastructure*^{*} and *additional infrastructure*^{*} are provided in a coordinated, integrated and efficient manner,
- (3) the diverse and changing needs of people, communities, and future generations are provided for through quality, sustainable urban form, and
- (4) competitive *land*^{*} and development markets are supported in ways which improve housing affordability.

UFD-O1: He mahere rautaki me te whanake ā-tāone

Mā te mahere rautaki me te whakawhanake tāone:

- (1) ka whakawātea he whenua me te āhei kia whakawhanakehia^{*} mō te noho tangata me te pakihī hei tautoko whakatipu,
- (2) ka whakaratohia he whakawhanake hou, tūāhanga whakawhanake me te tāpiri tūāhanga kia pai te ruruku, me te kōmitimiti,
- (3) ka aro atu ki ngā hiahia kanorau o te tangata, o ngā hāpori me ngā whakatipuranga e heke mai nei mā te kōunga me te whakapūmau o te āhūa o te tāone, ā
- (4) ka tautoko i te makete hoko whenua, whakawhanake hoki kia taea te hoko whare.

UFD-O2: Urban growth and rural residential subdivision on *highly productive land*^{*}

To ensure that *Territorial Authorities*^{*} consider the benefits of retaining *highly productive land*^{*} for use as *production land*[^] when providing for urban growth and rural residential *subdivision*^{*}.

UFD-O2: Te tupu o ngā tāone me te whakaahu whenua hei nohoanga taiwhenua, i runga oneone tino tōnui

Kia hua ai ka whakaaroarotia e ngā Kaunihera ā-Rohe ngā painga o te pupuri tonu i ngā oneone tino tōnui hei whenua tōnui e whakarato ana mō te tupu tāone me te tūtanga taiwhenua.

UFD-O3: Urban form and function

The intensification and expansion of *urban environments**:

1. contributes to *well-functioning urban environments** that:
 - a. enable all people, communities and future generations to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future,
 - b. increase the capacity and choice available within housing and *business land**,
 - c. achieve a quality, sustainable and compact urban form,
 - d. are, or planned to be, well connected by a choice of transport modes including *public transport**,
 - e. manage adverse *effects** on the environment, and
 - f. manage reverse sensitivity *effects** on the operation, maintenance and upgrade of *nationally significant infrastructure**, including *infrastructure*[^] and facilities and assets of regional or national importance.
2. enable more people to live in, and more businesses and *community services** to be located in, areas of an *urban environment** where:
 - a. it is in or near a *centre zone** or other area with many employment opportunities,
 - b. it is able to be, or is, well-served by existing or planned *public transport** and *active transport**,
 - c. there is a high demand for housing or *business land**, relative to other areas within that *urban environment**.

UFD-O3: Te āhua me te heinga o te tāone

Te kaha kē ake me te tipu haere o ngā taiao tāone:

1. *tautoko ana ngā tāiao tāone e pai haere ana kia*
 - a. *whai wāhi ai ngā tāngata katoa, hāpori mai, whakatipuranga mai kia pai tō rātou oranga ā-ōhanga, ā-ahurea, tō rātou hauora me te haumaru i āiane, ā, haere ake nei,*
 - b. *kia whakanui atu ai i ngā momo whare me te whirwhiri whare i runga whenua hei whare, whenua hoki hei pakihī,*
 - c. *kia kounga ai, kia whakapūmau ai, kia raungaiti ai hoki te āhua o te tāone e hāngai ana ki tōna taiao ake,*
 - d. *kia pai ai te hononga mā te whirwhiri momo waka tae atu ki ngā waka tūmatanui,*
 - e. *kia whakahaere i ngā pānga tūkinō ki te taiao, ā*
 - f. *kia whakahaere i ngā pānga rauangio te mahi, te tikai me te whakahou o te tino hanganga ā-motu, tae atu ki te hanganga me ngā rawa mātuatua ā-rohe, ā-motu.*
2. *e taea ai e te tangata te noho, ngā pakihī me ngā ratonga hāpori te tū ki ngā wāhi o te taiao tāone ki reira:*
 - a. *ka tūtata ki tētahi wāhi pū, tētahi atu wāhi rānei he nui ngā mahi mā te tangata,*
 - b. *ka nui ngā ratonga, ka tino whakaratoa rānei e te waka tūmatanui me te waka mātātoa,*
 - c. *ka tino nui te tonu whenua hei whare noho, te whenua rānei hei pakihī e hāngai ana ki ētahi atu wāhi o roto o taua taiao tāone.*

UFD-O4: Urban development and the *Treaty of Waitangi (Te Tiriti o Waitangi)*[^]

*Planning decisions** relating to *urban environments** take into account the principles of the *Treaty of Waitangi (Te Tiriti o Waitangi)*[^].

UFD-O4: Te Whakawhanaketanga tāone me Te Tiriti o Waitangi

Ko ngā whakataua māherehere e hāngai ana ki ngā taiao tāone ka whakaarohia ngā mātāpono o te Te Tiriti o Waitangi.

UFD-O5: Urban development and *climate change*[^]

*Urban environments** are resilient to the *effects** of *climate change*[^] and support reductions in *greenhouse gas*[^] emissions.

UFD-O5: Whanake Tāone me te āhuarangi hurihuri

E manawaroa ana ngā taiao tāone ki ngā pānga o te āhuarangi hurihuri me te tautoko kia iti haere i ngā whakahā haurehu kati mahana.

Policies

UFD-P1: Integration of *infrastructure*[^] with *land*[^] use

*Territorial Authorities** must proactively develop and implement appropriate *land*[^] use strategies to manage urban growth that:

1. for *urban environments**, demonstrate how *sufficient development capacity** for housing and *business land*[^] will be provided in the *short term**, *medium term** and *long term** in a well-planned and integrated manner, and
2. for all settlements, ensure there is co-ordination between the location, form and timing of urban development and the planning, funding, delivery and implementation of *development infrastructure**.

UFD-P2: Providing *sufficient development capacity**

*Sufficient development capacity** and *land*[^] supply is provided for in the *short term**, *medium term** and *long term** to accommodate demand for housing and *business land*[^] in *urban environments** by:

1. providing for urban intensification and urban expansion within *district plans*[^] in accordance with UFD-P1, UFD-P4, and UFD-P5,
2. *local authorities*[^] being responsive to unanticipated or out of sequence plan changes that would add significantly to *development capacity** and contribute to *well-functioning urban environments** in accordance with UFD-P6, and

3. ensuring the urban intensification and expansion necessary to meet the *housing bottom lines** specified in Table 1¹ is provided for in the Palmerston North District Plan.

Table 1 *Housing bottom lines** for Palmerston North, 2021-2051

<i>Housing bottom lines</i>* (number of dwellings)	
Short- to medium-term July 2021 – June 2031 Includes an additional margin of 20%	Long-term July 2031 – June 2051 Includes an additional margin of 15%
5,046	7,925

UFD-P3: Urban growth and rural residential *subdivision on *highly productive land****

In providing for urban growth and controlling rural residential *subdivision** (“lifestyle blocks”), *Territorial Authorities** must pay particular attention to the benefits of the retention of *highly productive land** for use as *production land*[^] in their assessment of how best to achieve *sustainable management**.

UFD-P4: Urban intensification and expansion

1. Intensification and expansion of *urban environments** is provided for and enabled in *district plans*[^] where:
 - a. it contributes to a *well-functioning urban environment**
 - b. it contributes to a range of residential and business areas that enable different housing and/or business types, *site** size and densities,
 - c. higher density development is in close proximity to *centre zones**, *public transport**, *community services**, employment opportunities, and open space,
 - d. development is well serviced by existing or planned *development infrastructure** and enables provision of *public transport**, and *additional infrastructure** required to service the *development capacity** is likely to be achieved,
 - e. it protects natural and physical resources that have been scheduled within the One Plan in relation to their significance or special character,
 - f. to the extent reasonably possible, the operation, maintenance and upgrade of *nationally significant infrastructure** is not compromised, and
 - g. it promotes positive *effects**, and gives appropriate priority to the health and well-being of *waterbodies**, *freshwater** ecosystems, and other *receiving environments** where they are potentially adversely affected by urban development, while at a minimum avoiding, remedying or mitigating those *effects** (including cumulative *effects**).
2. In addition to meeting the criteria in (1) above, the expansion of *urban environments** must only occur where it:
 - a. is adjacent to existing or planned urban areas,

¹ UFD-P2(3) inserted as directed by clause 3.6 of the National Policy Statement on Urban Development 2020. This table was last updated in 25 June 2024 based on *housing bottom lines** established in the Palmerston North Housing Capacity Assessment Report - June 2021, adopted by Palmerston North City Council on 30 June 2021. *Housing bottom lines** will be updated every three years.

- b. will not result in inefficient or sporadic patterns of settlement and residential growth and is an efficient use of the finite *land** resource,
 - c. is well-connected along transport corridors and is designed to enable a variety of transport modes,
 - d. manages adverse reverse sensitivity *effects** on *land** with existing incompatible activities, including adjacent to the *urban environment** boundary, and
 - e. to the extent reasonably possible, does not compromise the operation, maintenance and upgrade of *nationally significant infrastructure**.
3. *District plans*[^] applying to *urban environments** must enable heights and density of urban form which are commensurate with the greater of:
 - a. relative demand for housing and/or business use in that location, or
 - b. the level of accessibility provided by existing or *planned** *active transport** or *public transport** to areas with *community services** and employment opportunities.
 4. *Local Authority*[^] transport plans and strategies must establish ways to contribute to *well-functioning urban environments** through the provision of *public transport** services and by enabling *active transport**, including its associated *infrastructure*[^].

UFD-P5: Built forms

*Territorial Authorities** must ensure the form and design of *subdivision**, use and development in *urban environments** is managed so that overall it:

1. contributes to a *well-functioning urban environment**,
2. provides for a range of housing types and densities and employment choices in a manner that integrates with existing and planned *development infrastructure**,
3. recognises the importance of marae and papakāinga and enables their development, ongoing use and protection from incompatible development and reverse sensitivity adverse *effects**, where existing or planned *development infrastructure** of sufficient capacity is, or can be, provided, and
4. where appropriate, enables development across multiple or amalgamated *properties** to achieve all of the above.

UFD-P6: Criteria for evaluating unanticipated or out of sequence development

1. Unanticipated or out of sequence development will add significantly to *development capacity** where:
 - a. The location, design and layout of the development will contribute to a *well-functioning urban environment**,
 - b. the development is well-connected by a variety of transport modes and transport corridors, and to *community services**, and open space,
 - c. the development will significantly contribute to meeting demand for additional urban land identified in a *Housing and Business Development Capacity Assessment**, or a shortfall identified by undertaking the monitoring requirements outlined in the National Policy Statement on Urban Development 2020, including meeting *housing bottom lines**, or specific housing and price needs in the market,

- d. the development will be realised in the *short term** and before anticipated planned urban development,
 - e. there is adequate existing or planned upgrades to *development infrastructure** to support development of the *land** without adverse *effects** on the provision or capacity of other planned *development infrastructure** including planned *infrastructure*[^] expenditure, and
 - f. the development avoids adverse *effects** on *infrastructure*[^] and other physical resources of regional or national importance.
2. If the above criteria are met, the *Regional Council*[^] and *Territorial Authorities** must have particular regard to the contribution the development will have towards achieving UFD-P2.

UFD-P7: *Hapū** and *iwi** involvement in urban development

1. *Local Authorities*[^], in taking account of the principles of *Te Tiriti o Waitangi (Treaty of Waitangi)*[^] in relation to *urban environments**, must enable *hapū** and *iwi** involvement in urban development planning processes, including in decision making where appropriate, and to ensure provision is made for their needs, aspirations, and values, to ensure *urban environments** enable Māori to express their cultural traditions and norms.
2. As part of making provision for *iwi** and *hapū** needs, aspirations, and values *land** use strategies must be proactively developed and implemented to manage urban development in a manner which:
 - a. has regard to resource management issues of concern to *hapū** and *iwi**, including those identified in any relevant *iwi management plan**
 - b. enables papakāinga housing and marae,
 - c. enables early and ongoing engagement with *iwi** and *hapū** over urban intensification and expansion,
 - d. ensures *urban environments** enable Māori to express their cultural traditions and norms, and
 - e. identifies and protects culturally significant areas.

UFD-P8: Urban development and *climate change*[^]

1. *Urban environments** are developed in ways that support reductions in *greenhouse gas*[^] emissions and improve resilience to the *effects** of *climate change*[^] by:
 - a. use of urban design, building form and *infrastructure*[^] to minimise as far as practicable the contribution to *climate change*[^] of the development and its future use, including (but not limited to) *energy efficiency** (including methods to ensure whole-of-life *energy efficiency**), *water** efficiency, *waste** minimisation, transportation modes (including use of *public transport** and *active transport**) water-sensitive design and nature-based solutions,
 - b. urban development being compact, well designed and sustainable, and
 - c. requiring a risk based approach to their resilience to the impacts of *climate change*[^], including *sea level rise** and any increases in the scale and frequency of *natural hazard** events.
2. *Territorial Authority** decisions and controls:

- a. on *subdivision** and *land** use must ensure that sustainable transport options such as *public transport**, walking and cycling are integrated into *land** use development, and
- b. on *subdivision** and housing, including the layout of the *site** and layout of lots in relation to other houses/*subdivisions**, must encourage energy-efficient house design and access to solar energy.

Methods

Many of the policies in this chapter will be implemented by the *Regional Council*[^] and *Territorial Authorities** in plan changes, *district plans*[^] and in decisions on *resource consents*[^] and *designations*[^]. Non-regulatory approaches are also required to achieve urban form and development policies; these are outlined below in Method UFD-M4. The policies in this chapter will also be implemented by methods in other chapters in this Plan.

UFD-M1 Monitoring and reporting	
Description	<p>The aim of this method is to collect information on development and <i>infrastructure</i>[^] trends, needs and pressures in the Region, so that these trends and pressures can be responded to appropriately and in a timely manner, through management of the built environment.</p> <p>The <i>Regional Council</i>[^], together with <i>Territorial Authorities</i>*, must meet the evidence-based decision-making requirements of Subpart 3 of the NPS UD, in relation to <i>urban environments</i>*. This includes a requirement for the <i>Regional Council</i>[^], Palmerston North City Council and Horowhenua District Council (with the Wellington Regional Leadership Committee while Horowhenua District Council are part of the Wellington Regional Leadership Committee) to jointly prepare and publish <i>Housing and Business Development Capacity Assessments</i>* and <i>Future Development Strategies</i>*.</p>
Who	<i>Regional Council</i> [^] and <i>Territorial Authorities</i> *
Links to Policy	This method implements RPS-UFD-P1, RPS-UFD-P2, RPS-UFD-P4, RPS-UFD-P5, RPS-UFD-P7 and RPS-UFD-P8.
Target	<ul style="list-style-type: none"> • Information collected on development and <i>infrastructure</i>[^] trends and pressures in the Region. • Monitoring and reporting undertaken that meets the requirements of the NPS UD.

UFD-M2 Strategic planning	
Description	<p>The aim of this method is to undertake strategic planning to meet the objectives and policies of this Chapter.</p> <p>The <i>Regional Council</i>[^], together with Palmerston North City Council and Horowhenua District Council (through the Wellington Regional Leadership Committee while Horowhenua District Council are part of the Wellington Regional Leadership Committee), will determine housing <i>development capacity</i>* that is <i>feasible</i>* and likely to be taken up in <i>short term</i>*, <i>medium term</i>*, and <i>long term</i>* through <i>Housing and Business Development Capacity Assessments</i>*. In addition, the <i>Regional Council</i>[^], Palmerston North City Council and Horowhenua District Council (through the Wellington Regional Leadership Committee while Horowhenua District Council are part of the Wellington Regional Leadership Committee) will jointly prepare <i>Future Development Strategies</i>*.</p>

	<p>Other <i>Territorial Authorities</i>[*], together with the <i>Regional Council</i>[^], will undertake strategic planning to meet the objectives and policies of this Chapter through similar, but appropriately scaled approaches. This includes the use of structure plans for greenfield residential developments.</p> <p>These strategies will enable decision-making to be based on sufficient information to:</p> <ol style="list-style-type: none"> coordinate the intensification of <i>urban environments</i>[*] and the development of extensions to <i>urban environments</i>[*] with <i>Regional Council</i>[^] and <i>Territorial Authority</i>[*] <i>infrastructure</i>[^] planning, provide the required <i>development infrastructure</i>[*] in an integrated, timely, efficient and effective way, identify and manage impacts on key values and resources identified by this RPS, and ensure greenfield development is supported by sound evidence (e.g. due to lack of infill capacity, <i>climate change</i>[^] adaption). <p>The above may involve the preparation of spatial plans as a method for applying an integrated strategic planning approach.</p> <p>Councils will generally plan and fund future urban development through their Infrastructure Strategies and Long-term Plans (LTPs). In most cases, facilitating urban development is best done by planning and funding lead <i>infrastructure</i>[^] through LTP processes, however where necessary or appropriate Councils may seek alternative funding sources outside the LTP. Ultimately, if Councils do not plan for residential growth the result can be unplanned or constrained residential growth.</p> <p>Methods to achieve <i>active transport</i>[*] and <i>public transport</i>[*] strategic outcomes will include providing <i>public transport</i>[*] services, increasing accessibility via <i>active transport</i>[*] and micro-mobility devices such as e-bikes and e-scooters, and by implementing the Regional Public Transport Plan.</p> <p>Methods to achieve <i>climate change</i>[^] strategic outcomes will include having regard to targets set in the New Zealand Emissions Reduction Plan in decision-making.</p> <p>The <i>Regional Council</i>[^] and <i>Territorial Authorities</i>[*] will engage with <i>hapū</i>[*] and <i>iwi</i>[*] when undertaking strategic planning to meet the objectives and policies of this Chapter, including to ensure <i>urban environments</i>[*] enable Māori to express their cultural traditions and norms.</p>
Who	<i>Regional Council</i> [^] and <i>Territorial Authorities</i> [*]
Links to Policy	This method implements RPS-UFD-P1 to RPS-UFD-P8.
Target	<ul style="list-style-type: none"> Urban development strategic planning documents prepared. Requirements of the NPS UD met.

UFD-M3***District plans*[^]****Description**

The *Regional Council*[^] will formally seek changes to *district plans*[^], if necessary, to ensure *district plans*[^], as soon as reasonably practicable, identify and provide for urban intensification and expansion in a manner consistent with the objectives and policies in this Chapter.

District plans[^] must include policies, rules and/or methods to enable a variety of housing types (such as minor dwellings and the development of one and two bedroom homes) and lot sizes to provide for housing densities that meet housing demand and mixed-use development (including affordable housing) in *urban environments*^{*}.

Territorial Authorities^{*} may use methods such as Development Contributions Policies and Stormwater Management Plans to ensure the coordinated and efficient

	provision of new development, <i>development infrastructure*</i> and <i>additional infrastructure*</i> .
Who	<i>Regional Council[^] and Territorial Authorities*</i>
Links to Policy	This method implements RPS-UFD-P1 to RPS-UFD-P8.
Target	<ul style="list-style-type: none"> • <i>District plan[^] changes, if necessary.</i> • <i>Regional Council[^] submissions to Territorial Authorities* on proposed district plan[^] changes.</i>

UFD-M4	Advocacy
Description	<p>Easily accessible information will be developed and made available to:</p> <p>(a) raise awareness and understanding of natural hazards, <i>greenhouse gas[^] reductions</i>, and <i>climate change[^]</i>, and</p> <p>(b) advocate infill and intensification as a more sustainable urban development option than greenfield development and urban expansion.</p> <p>Work plans to reduce emissions and adapt to <i>climate change[^]</i> will be developed and made available, to raise awareness and understanding.</p> <p>Other methods will include:</p> <p>(a) providing guidance on integrating <i>land* use</i> with <i>development infrastructure*</i> and <i>additional infrastructure*</i>, and for delivering high quality urban design, and</p> <p>(b) preparing and disseminating information to raise awareness and understanding of ways to achieve <i>well-functioning urban environments*</i>.</p> <p>Where appropriate, the <i>Regional Council[^]</i> will promote and advocate the objectives and policies in this Chapter to external agencies that contribute to shaping urban form and development, such as Kāinga Ora.</p>
Who	<i>Regional Council[^] and Territorial Authorities*</i>
Links to Policy	This method implements RPS-UFD-P4, RPS-UFD-P5, RPS-UFD-P7 and RPS-UFD-P8.
Target	<ul style="list-style-type: none"> • Submissions to reforms and strategies from central government agencies, including Kāinga Ora. • Ongoing advice and advocacy to interested parties.

Principal reasons

UFD-PR1: Strategic urban development

Objective RPS-UFD-O1 and Policy RPS-UFD-P1 set up an overarching framework for ensuring urban development occurs in a strategically planned manner. Proactively developing and implementing appropriate *land[^] use* strategies to enable urban growth and manage its *effects** will ensure the efficient and effective provision of *development infrastructure** and *additional infrastructure**, and contribute to the objectives of the National Policy Statement on Urban Development 2020.

UFD-PR2: Urban growth and rural residential *subdivision** on *highly productive land**

The RMA requires those with functions under it to have regard to resource costs and benefits of development. For example, directing urban growth and rural residential *subdivision** away from *highly productive land** may increase travel distances, costs of service provision or other economic or environmental costs of land development. However, allowing urban expansion onto *highly productive land** adjacent to urban areas will result in a reduction of options for their future productive use, which is a cost to future generations. There are a range of factors required to enable *land** to be used for productive use. *Territorial Authorities** need to weigh all relevant matters when making *land* use decisions.

UFD-PR3: Urban form, function and development

Objectives RPS-UFD-O1, RPS-UFD-O3 to RPS-UFD-O5, along with Policies RPS-UFD-P1 to RPS-UFD-P2 and RPS-UFD-P4 to RPS-UFD-P8, give effect to the requirements of the National Policy Statement on Urban Development 2020 and are intended to achieve its objectives. The intended results include the provision of *well-functioning urban environments** and improvements to the responsiveness and competitiveness of *land** and development markets. Provisions in this chapter also seek to ensure urban development positively impacts the quality of *urban environments**, the quality of life for residents and the quality of the natural environment.

Anticipated environmental results

Anticipated Environmental Result	Link to Policy	Indicator	Data Source
UFD-AER1: Urban growth occurs in a strategically planned manner.	RPS-UFD-P1, RPS-UFD-P7	<ul style="list-style-type: none"> Urban growth <i>Land</i>* use strategies <i>Iwi</i>* and <i>hapū</i>* involvement in development planning processes 	<ul style="list-style-type: none"> <i>District plan</i>[^] variations and changes
UFD-AER2: <i>Highly productive land</i> * is retained, where appropriate for productive use.	RPS-UFD-P3	<ul style="list-style-type: none"> Urban growth and rural residential <i>subdivision</i>* 	<ul style="list-style-type: none"> <i>District plan</i>[^] variations and changes
UFD-AER3: Urban intensification is achieved.	RPS-UFD-P1, RPS-UFD-P2, RPS-UFD-P4, RPS-UFD-P5, RPS-UFD-P6, RPS-UFD-P7	<ul style="list-style-type: none"> Urban intensification <i>Housing bottom lines</i>* achieved <i>Land</i>* use strategies <i>Iwi</i>* and <i>hapū</i>* involvement in development planning processes 	<ul style="list-style-type: none"> <i>District plan</i>[^] variations and changes NPS UD monitoring requirements
UFD-AER4: <i>Development infrastructure</i> * is in place in time to facilitate urban intensification of expansion.	RPS-UFD-P1, RPS-UFD-P2, RPS-UFD-P4, RPS-UFD-P5, RPS-UFD-P6	<ul style="list-style-type: none"> Urban intensification and growth 	<ul style="list-style-type: none"> <i>District plan</i>[^] variations and changes
UFD-AER5: New developments maximise energy and transport efficiency.	RPS-UFD-P4, RPS-UFD-P8	<ul style="list-style-type: none"> Solar energy provisions in <i>district plans</i>[^] 	<ul style="list-style-type: none"> <i>District plan</i>[^] variations and changes Regional Land Transport Plan indicator monitoring

Anticipated Environmental Result	Link to Policy	Indicator	Data Source
		<ul style="list-style-type: none"> Increases in <i>active transport*</i> and <i>public transport*</i> 	<ul style="list-style-type: none"> Census: main means of travel
<p>UFD-AER6: Risks due to the impacts of <i>climate change</i>^A are minimal to new developments.</p>	<p>RPS-UFD-P4, RPS-UFD-P8</p>	<ul style="list-style-type: none"> Urban intensification and growth 	<ul style="list-style-type: none"> <i>District plan</i>^A variations and changes

Appendix D Persons to be served with a copy of this notice

SUBMITTER	ADDRESS FOR SERVICE
New Zealand Transport Agency Waka Kotahi	EnvironmentalPlanning@nzta.govt.nz
Ministry of Education	Zach.chisam@beca.com
KiwiRail	Pam.butler@kiwirail.co.nz
Wellington Fish and Game Council	acoughlan@fishandgame.org.nz
Summerset Group Holdings Ltd	hannah@incite.co.nz
Horowhenua District Council	StrategicPlanning@horowhenua.govt.nz
Dr Sharon Stevens	sharon@slowfarm.co.nz
Marilyn & Bruce Bulloch	marilynbulloch@gmail.com
Manawatū District Council	public@mdc.govt.nz
Palmerston North City Council	waid.crockett@pncc.govt.nz
Rangitīkei District Council	katrina.gray@rangitikei.govt.nz
Dr Chris Teo-Sherrel	carfreechris@inspire.net.nz
Fonterra Ltd	Suzanne.orourke@fonterra.com
New Zealand Defence Force	lucy.edwards@nzdf.mil.nz kbaverstock@tonkintaylor.co.nz
Robert McLachlan	r.mclachlan@massey.ac.nz
Kāinga Ora Homes and Communities	developmentplanning@kaingaora.govt.nz
Philip John Lake	Philip.lake@actrix.co.nz
National Public Health: MidCentral, Te Whatu Ora, Health New Zealand.	PublicHealthops@midcentraldhb.govt.nz